

Court Proceedings

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EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
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Friday, 5 December 1947

INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

The Tribunal met, pursuant to adjournment,  
at 0930.

Appearances:

For the Tribunal, all Members sitting, with  
the exception of: HONORABLE JUSTICE SIR WILLIAM F.  
WEBB, Member from the Commonwealth of Australia, not  
sitting from 0930 to 1600; HONORABLE JUSTICE E.  
STUART MCDOUGALL, Member from the Dominion of Canada,  
not sitting from 0930 to 1200.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

(English to Japanese and Japanese  
to English interpretation was made by the  
Language Section, IMTFE.)



SAWAMOTO

DIRECT

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 ACTING PRESIDENT: All the accused are present  
4 except MATSUI, who is represented by counsel. We have  
5 a certificate from the prison surgeon at Sugamo cer-  
6 tifying that he is ill and unable to attend the trial  
7 today. The certificate will be recorded and filed.

8 Mr. TAKAHASHI.

9 MR. TAKAHASHI: We next call former Admiral  
10 SAWAMOTO, Yorio.

11 The witness, Admiral SAWAMOTO, was a former  
12 Vice-Minister of the Navy under both the accused  
13 Admiral SHIMADA and his predecessor, Admiral OIKAWA,  
14 Koshiro. He will testify concerning the actions of  
15 the accused SHIMADA before and during his tenure as  
16 Navy Minister.

17 MARSHAL OF THE COURT: Mr. President, the  
18 witness SAWAMOTO is in court. He has previously been  
19 sworn before this Tribunal.

20 - - -

21 Y O R I O S A W A M O T O, recalled as a witness  
22 on behalf of the defense, having been previously  
23 sworn, testified through Japanese interpreters  
24 as follows:

25 ACTING PRESIDENT: You are warned that you

ai - still under your previous oath.

DIRECT EXAMINATION

BY MR. TAKAHASHI:

Q Mr. Witness, please state your name and address.

A My name is SAWAMOTO, Yorio. My address: No. 110 Kakinokizaka, Meguro-ku, Tokyo, Japan.

MR. TAKAHASHI: May the witness be shown defense document 2889?

(Whereupon, a document was handed to the witness.)

Q Have you seen that document?

A Yes.

Q Is that your affidavit and have you signed it?

A This is the affidavit. This is my affidavit and I have signed it.

Q Are the contents thereof true and correct?

A They are true and correct.

MR. TAKAHASHI: I now tender in evidence defense document 2889.

ACTING PRESIDENT: It will be admitted in evidence.

CLERK OF THE COURT: Defense document 2889 will receive exhibit No. 3561.

(Whereupon, the document above



SAWAMOTO

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referred to was marked defense exhibit

No. 3561 and received in evidence.)

MR. TAKAHASHI: I now read court exhibit No. 3561:

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1 "1. My name is Yorio SAWAMOTO and I have  
2 spent my full life with the Japanese Navy, reaching  
3 the rank of full Admiral. I served as Vice-Minister  
4 of Navy from April 1941 until July 1944. In this  
5 capacity I served under Navy Minister OIKAWA and  
6 Navy Minister SHIMADA.

7 "2. I have been asked for information which  
8 would reveal Admiral SHIMADA's views and attitude  
9 toward war with the United States, Great Britain and  
10 the Netherlands prior to the commencement of hostilities.  
11 In this connection I would like to point out an incident  
12 that happened while I served as Commander in Chief of  
13 the Second Expeditionary Fleet under the China Seas  
14 Fleet. At this time Admiral SHIMADA was Commander in  
15 Chief of the China Seas Fleet. Around the 20th of  
16 December, 1940 he called a meeting of the commanders  
17 of the various units of the China Fleet and in response  
18 I reported at Shanghai.

19 "During the course of this meeting Admiral  
20 SHIMADA clearly expressed vital interest in the  
21 relations of Japan and the United States. He was very  
22 disturbed about the increasing tenseness of the situation  
23 and I remember he said there must not be a war between  
24 Japan and the Western Powers. He told us that he was  
25 opposed to the further dispatching of Japanese forces



1 to French Indo-China. He further said that he had been  
2 corresponding with Admiral YAMAMOTO, Isoroku who was an  
3 old classmate of his and then Commander in Chief of the  
4 Combined Fleet. I remember him saying that YAMAMOTO  
5 was worried over the development of the international  
6 situation and stressed that there should never be a war  
7 between Japan, the United States and Great Britain.

8 "I recite this incident simply because it made  
9 an impression on those of us who heard Admiral SHIMADA  
10 speak at that time. Of course, we were disconnected  
11 from politics and were simply carrying out naval assign-  
12 ments on the sea, which meant that our thoughts were of  
13 no effect in formulating governmental policy.

14 "I assumed the post of Vice-Minister of Navy on  
15 the 22nd of April 1941, at which time Admiral OIKAWA  
16 was Navy Minister. When the Third KONOYE Cabinet fell  
17 and Lt. General TOJO was designated to form a new cabinet  
18 I had then been at my post but six months. I continued  
19 on in office as Vice-Minister at the direction of  
20 Admiral OIKAWA and the wishes of Admiral SHIMADA. The  
21 international situation had deteriorated to such an  
22 extent that the possibilities of war were alarming.  
23 The atmosphere was tense and severe and we were all  
24 working under the strain and worry accompanying the  
25 troublesome times.

1 "Admiral SHIMADA was a full Admiral and high on  
2 the seniority list. While he had served in the Naval  
3 General Staff most of his duties had been relegated  
4 to sea assignments, and hence his experience in  
5 administrative matters connected with the Navy Ministry  
6 was not great. Moreover, he had but returned home from  
7 China when he assumed the Ministership. Consequently,  
8 he was not well informed on the naval situation at home.  
9 I, therefore, in the first days explained the then exist-  
10 ing situation to him and suggested he promote the naval  
11 policy of continuation of negotiations with the view of  
12 reaching a peaceful settlement of Japan's international  
13 problems. Admiral SHIMADA talked to me quite often and  
14 I know that his avowed intentions at the time of assum-  
15 ing the post of Navy Minister were no different than  
16 his predecessor, Admiral OIKAWA. Very shortly after  
17 becoming Navy Minister, Admiral SHIMADA called a meeting  
18 of some higher ranking officers of the Navy Ministry and  
19 the Naval General Staff and told us of his determination  
20 to push the peace talks to the limit in an effort to  
21 achieve success and outlined a naval policy which was  
22 exactly in keeping with the naval views under the old  
23 cabinet. He carried on discussions with us to the end  
24 of acquiring an adequate knowledge and background of  
25 present affairs. I recall the he once said that he would



1 resign his post if elements opposed to exhausting every  
2 effort toward achieving peace through diplomacy became  
3 too strong.

4 "4. I personally know that on the morning of  
5 October 18th, after agreeing to accept the Navy Minister-  
6 ship, Admiral SHIMADA went to see the new premier,  
7 Lt. General TOJO. The purpose of his visit was to set  
8 forth a prerequisite for his entering the cabinet, to  
9 which TOJO must agree. That condition was that  
10 diplomatic negotiations between Japan and the United  
11 States must be continued with the avowed purpose of  
12 reaching a peaceful settlement of the matters in dispute.  
13 Admiral SHIMADA told me and several others at the Navy  
14 Ministry that TOJO had completely agreed with him, and  
15 that they were going to adopt the policy of making utmost  
16 concessions to the United States in order to avert war.  
17 We were all highly pleased.

18 "5. I recall a conversation I had with Admiral  
19 SHIMADA on the occasion of the ceremony for the war dead  
20 which was held at the YASUKUNI Shrine October 23, 1941.  
21 He told me that Premier TOJO had requested that he  
22 arrive at the Shrine about ten minutes earlier than  
23 scheduled. He said that TOJO told him that he was  
24 calling his first conference that day with the firm  
25 resolve to reconsider the problems with the United States.

from a new approach, disregarding all past decisions.

1 SHIMADA then said the object of the Navy would continue  
2 to be to achieve peace through negotiations if such  
3 were possible.

4 "We of the Navy Ministry were viewing this  
5 movement with hope because the new government was  
6 approaching the negotiations with the United States from  
7 a new angle. However, upon receipt of the Hull note of  
8 November 26, 1941, the protagonists of concessions  
9 being made to the United States received a jarring  
10 blow. The American reply was interpreted in naval  
11 circles as a virtual ultimatum, revealing an unbending  
12 and non-compromising attitude that promised no hope of  
13 negotiations succeeding. I believe this note destroyed  
14 all but a faint hope for peace in the minds of many  
15 naval men who had previously held out against war.

17 "During my tenure of office as Vice-Minister of  
18 Navy I have no recollection of receiving protests relative  
19 to Japanese treatment of prisoners of war. I do not say  
20 that they were not sent to the Navy Ministry, because  
21 I do not know. But I do say that it is understandable  
22 that such protests, if received, would have been handled  
23 by lesser officials in the Navy Ministry simply because  
24 such matters primarily concerned the Army and Foreign  
25 Office. Certainly, if I did not receive such protests.



1 it would be extremely unlikely that Admiral SHIMADA in  
2 the high post of Navy Minister would have received such  
3 information.

4 "The Navy Ministry never issued orders  
5 connected with operational movements of the Fleet.  
6 Such orders came from the Combined Fleet and the Chief  
7 of Naval General Staff, but even so I have never heard  
8 of any orders commanding the commission of atrocities  
9 or violating recognized rules of warfare. Several  
10 times before and during the war the Navy Ministry  
11 issued interpretations relative to rules of warfare.  
12 It is unthinkable, therefore, that this same Ministry  
13 would have issued orders commanding the commission of  
14 atrocities or violation of recognized rules of warfare."

15 You may cross-examine.

16 ACTING PRESIDENT: Captain Robinson.  
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## CROSS-EXAMINATION

1 BY CAPTAIN ROBINSON:

2 Q Admiral, how many years did you serve under  
3 Admiral SHIMADA in China and later in the Navy  
4 Ministry here in Tokyo?

5 A I served under Admiral SHIMADA in the China  
6 Area Fleet from October 15, 1940 to April 4, 1941;  
7 and as Vice-Minister of the Navy under him, I served  
8 from October 18, 1941 to July 17, 1944.

9 Q A total then of how many years?

10 A About three years.

11 Q And during those years were Admiral SHIMADA's  
12 views and policies usually likewise your own views  
13 and policies?

14 MR. BRANNON: We object to that question as  
15 entirely immaterial and having no bearing on the  
16 issues.

17 ACTING PRESIDENT: Objection overruled.

18 A Well, I wouldn't say "all" but inasmuch as  
19 the Vice-Minister of the Navy functioned in accordance  
20 with the orders of the Minister I can say that,  
21 generally speaking, the policy of Admiral SHIMADA  
22 was carried out by the Navy through the Vice-Minister.

23 Q And you continued in office under him until  
24 the fall of the TOJO Cabinet, at which time both you  
25



1 and he retired from office?

2 A There is a slight difference in date. I  
3 left the post of Vice-Minister of the Navy on the  
4 17th of July 1944 and at that time I had no idea of  
5 the resignation of the TOJO Cabinet.

6 Q In general, however, your service and his  
7 were cooperative and cordial in your relations; you  
8 worked together in harmony?

9 A At the outset of Admiral SHIMADA's assumption  
10 of the office of Minister of the Navy I requested  
11 transfer of myself.

12 Q Now, that is not an answer to my question,  
13 Mr. Witness. I think that called for an answer of  
14 yes or no, or whatever the result may be as you see it.

15 A Of course, I expressed my own views and I  
16 heard Admiral SHIMADA's views on various matters, but  
17 ultimately I carried out the instructions as laid  
18 down by the Minister.

19 Q Now, in regard to those views, I understand  
20 from your affidavit that you and SHIMADA never dis-  
21 cussed such a thing as politics; is that correct?

22 MR. BRANNON: We object to that question  
23 as based upon a false assumption. The affidavit states  
24 that in China, that is, in the China Seas Fleet, that  
25 ~~that statement was made but not after the ministership.~~

1 It is clearly an error in assumption of fact.

2 CAPTAIN ROBINSON: The reference, if the  
3 Court please, is to page 2, the top paragraph, of the  
4 affidavit. I think I may bring out the same point  
5 by another question.

6 Q Now, at page 2 of your affidavit, Mr. Witness,  
7 you say that you and Admiral SHIMADA were simply  
8 carrying out naval assignments at sea and were dis-  
9 connected from politics. By your words, "naval  
10 assignments at sea," you mean, do you not, that  
11 Admiral SHIMADA and you were engaged in blockading  
12 China's ports and bombing China's cities; is that not  
13 correct?  
14

15 A At that time I was Commander in Chief of  
16 the Second Expeditionary Fleet of the Japanese Fleet  
17 in China waters and the principal assignment was naval  
18 blockade. Bombing of cities was not our principal  
19 assignment but I do not say that we did not conduct  
20 any bombing. We did at times.

21 Q Yes. Now referring to page 3 of your affi-  
22 davit you say that SHIMADA called a meeting of higher  
23 ranking officers of the Navy and outlined a naval  
24 policy which was exactly in keeping with the naval  
25 views under the old cabinet. Now, what were those  
views?



1           A    The naval views referred to in that passage  
2           were to facilitate diplomatic negotiations and to bring  
3           about a peaceful settlement of Japanese-American  
4           relations.

5           Q    Is that an adequate statement in your  
6           opinion of the views of the old cabinet?

7           A    I did not say the views of the old cabinet  
8           but the naval views under the old cabinet.  
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1 Q Was there any -- what were those views, and  
2 what is the distinction between the views under the  
3 old cabinet and the naval views?

4 A The fundamental views of the navy at all times  
5 was to bring about a peaceful settlement of the issues  
6 and the relations between Japan and the United States.  
7 The cabinet's views were generally the same, but it  
8 did not have the die-hard attitude which the navy  
9 possessed. That is to say, that the navy consistently  
10 advocated that in spite of the various difficulties  
11 which existed as to how to bring about a settlement  
12 of the situation existing between the two countries,  
13 the navy consistently advocated that a peaceful set-  
14 tlement must be effected at any price.

15 Q Who was opposing that view? Name the individ-  
16 ual in the cabinet who was opposing that view of the  
17 navy in opposition to war.

18 A I have never attended a cabinet meeting, and  
19 I do not know the details of the discussions at those  
20 meetings.

21 Q The matter was discussed in navy circles,  
22 wasn't it, as to the attitude of members of the cabinet?

23 A I heard the various situations within the  
24 cabinet from Admiral SHIMADA, but I have no recollec-  
25 tion as to the details of the discussions.



1 Q What were the principal parts of the dis-  
2 cussion which Admiral SHIMADA brought back and dis-  
3 cussed with you as Navy Vice Minister?

4 A Are you referring to the TOJO Cabinet or  
5 the one before that.

6 Q TOJO.

7 A That question did not arise at the time of  
8 the TOJO Cabinet, not to any extent.

9 Q But to some extent?

10 A After the formation of the TOJO Cabinet  
11 a study and a reconsideration of the entire situa-  
12 tion with a clean slate and with an entirely new  
13 conception was held beginning the 23d of October and  
14 held continuously for about seven or eight days.  
15 Slight correction: Seven or eight times instead of  
16 days.

17 Q Now, in the last KONOYE Cabinet what were  
18 the principal matters discussed in that regard?

19 A I think the matter last discussed by the  
20 KONOYE Cabinet was that it was difficult for that  
21 cabinet to see any prospects in regard to the diplo-  
22 matic negotiations.

23 Q Well, now, was there a difference of opinion  
24 in the TOJO Cabinet, and if so, what was it on that  
25 point?

1 A Even at the time of the TOJO Cabinet it was  
2 difficult to see its way clear as to the prospects of  
3 the diplomatic negotiations.

4 Q Will you answer the question, please?

5 A Hence, as it was difficult to -- because  
6 it was difficult to see its way clear as to the dip-  
7 lomatic prospects, the situation being so complicated,  
8 there was no one who was able to say anything definite  
9 about it, and in that sense there was no opposition  
10 or confrontation with regard to this matter either  
11 in the KONOYE Cabinet or the TOJO Cabinet.

12 Q In the KONOYE Cabinet what position did  
13 TOJO take in regard to this matter in which he dif-  
14 fered with the navy?

15 MR. BRANNON: We object to that question, if  
16 the Tribunal please, on the ground that this witness  
17 as Vice Minister of the Navy has testified he did not  
18 attend the cabinet meetings, the liaison meetings.  
19 That information could more properly have been drawn  
20 from the preceding witness, Admiral OIKAWA, the Navy  
21 Minister himself.

22 ACTING PRESIDENT: Objection overruled.  
23 Answer the question, Witness.

24 A As I view it, the navy's position was that  
25 it favored the relaxation of the terms in order to



1 attain success in the diplomatic negotiations between  
2 Japan and the United States. And as for the army, as  
3 I view it, their position was that if there were  
4 prospects in existence for success in the diplomatic  
5 negotiations, it was willing to take any means to  
6 bring that negotiation to fruition.

7 Q Another reference to your affidavit. At  
8 page 3, Mr. Witness, you suggest that Admiral SHIMADA  
9 told you and others that TOJO and he agreed and were  
10 to adopt a policy of making utmost concessions to  
11 the United States in order to avert war. Now, speci-  
12 fically what were those utmost concessions which the  
13 navy and TOJO agreed on?

14 A At that time the reference was to general  
15 concessions and nothing concrete was as yet mentioned.  
16 The point was that the maximum possible concessions  
17 would be made.

18 CAPTAIN ROBINSON: That is all of the cross-  
19 examination.  
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## REDIRECT EXAMINATION

1 BY MR. TAKAHASHI:

2 Q Mr. Witness, I wish to ask you a question.  
3 Mr. Witness, in answer to the cross-examination you  
4 stated that while in China you did also carry out bomb-  
5 ings of cities. What were the objectives of these bomb-  
6 ings? Military objectives?

7 CAPTAIN ROBINSON: Just a minute. If the Court  
8 please, that is objectionable.

9 ACTING PRESIDENT: Objection sustained.

10 Q Then I ask what were the objectives of these  
11 bombings?

12 CAPTAIN ROBINSON: Same objection, if the Court  
13 please.

14 Q Then to reframe that question, were these bomb-  
15 ings carried out under the instructions of the Naval  
16 General Staff?

17 CAPTAIN ROBINSON: Objection on the ground it  
18 is irrelevant, if the Court please.

19 ACTING PRESIDENT: Objection overruled.

20 A The purpose of the bombings were principally  
21 steel bridges and they were carried out at the orders  
22 of the China Area Fleet at the direction of the Naval  
23 General Staff.

24 THE INTERPRETER: Slight correction: The  
25



1 objective was principally to bomb a steel bridge. I  
2 do not recall the name of that bridge at the present  
3 moment. And this was done at the orders of the China  
4 Area Fleet and under the directions of the Naval General  
5 Staff.

6 MR. TAKAHASHI: That concludes the redirect.

7 ACTING PRESIDENT: I have some questions from  
8 a Member of the Tribunal.

9 BY THE ACTING PRESIDENT:

10 Q You state in your affidavit that before and  
11 during the war the Navy Ministry issued interpretations  
12 relative to rules of warfare. Can you give some ex-  
13 amples?

14 A This was prior to the war, but a very voluminous  
15 document pertaining to the rules of naval warfare were  
16 prepared by an expert on the subject by the name of  
17 ENOMOTO and distributed to all the fleets, their units  
18 and various branches of the Navy. And ENOMOTO from  
19 time to time visited various units of the Navy as well  
20 as branches of the Navy to give necessary explanations  
21 as to those rules of naval warfare. And after the  
22 commencement of hostilities the document was more  
23 intensely and more widely circulated.

24 There have been instances in the Japanese Navy  
25 wherein articles relating to prisoners of war in the

1 Geneva Convention were printed and circulated to all  
2 the various naval units and other branches of the Navy.

3 Q Were any special interpretations made of those  
4 articles?

5 A No, no particular interpretations were made  
6 but the rules were presented as such in an understandable  
7 form and distributed with the instructions that they be  
8 observed.

9 Q Did you see the complaints about the killing  
10 of survivors of torpedoed ships?

11 A I have never seen one.

12 Q Do you know anything about the order of March  
13 1943 to kill the survivors of all torpedoed ships?

14 A I have never seen it.

15 Q Did you ever hear of it?

16 A Yes, I have heard that such a matter became a  
17 question after the termination of the war.

18 Q Who issued that order?

19 A I do not know the particulars.

20 Q If such an order was issued would it not be  
21 usual that the Navy Minister be informed of it?

22 A That order was a fleet order and I do not think  
23 any notification to that effect came to the Navy  
24 Ministry.

25 CAPTAIN ROBINSON: I have one question further,



1 sir.

2 ACTING PRESIDENT: It is rather unusual. You  
3 may ask it.

4 CAPTAIN ROBINS N: In regard to the date of  
5 these pamphlets, I would like to ask the witness this  
6 question: You say the pamphlets were distributed prior  
7 to the commencement of the war. What war do you refer  
8 to and what date?

9 THE WITNESS: I am referring to what was called  
10 in Japan the War of Greater East Asia which commenced  
11 on the 8th of December, 1941.

12 CAPTAIN ROBINSON: With the Court's permission  
13 I would like to ask the witness also why he said that  
14 the order was probably a fleet order with respect to  
15 the destruction of survivors.

16 ACTING PRESIDENT: Answer the question, witness.

17 THE WITNESS: That related to the fleet's own  
18 operations and there is no occasion or case of a Navy  
19 Minister sending any directions to the fleet -- Ministry  
20 to the fleet.

21 CAPTAIN ROBINSON: That is all, if the Court  
22 please.

23 MR. TAKAHASHI: Since there is no further  
24 cross-examination, I ask that the witness be released  
25 on the usual terms.

1           ACTING PRESIDENT: He will be so released.  
2                           (Whereupon, the witness was excused.)  
3                           - - -

4           ACTING PRESIDENT: Mr. Brannon.

5           MR. BRANNON: We call as our next witness  
6           Sadatoshi TOMIOKA, formerly a rear admiral in the  
7           Naval General Staff whose testimony concerns the first  
8           appraisal of the accused SHIMADA of the Pearl Harbor  
9           operational plans and the Navy Minister's function at  
10          the Imperial General Headquarters.

11          MARSHAL OF THE COURT: Mr. President, the  
12          witness TOMIOKA is in court. He has previously been  
13          sworn before the Tribunal.

14          ACTING PRESIDENT: You are warned that you  
15          are still on your former oath.  
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1 S A D A T O S H I T O M I O K A, recalled as a  
2 witness on behalf of the defense, having been  
3 previously sworn, testified through Japanese  
4 interpreters as follows:

5 DIRECT EXAMINATION

6 BY MR. BRANNON:

7 Q Will you state your name and whether or not  
8 this is your true and correct affidavit?

9 A My name is TOMIOKA, Sadatoshi. This affidavit  
10 is mine and it is true and correct.

11 MR. BRANNON: I offer in evidence defense  
12 document 2911, the affidavit of Sadatoshi, TOMIOKA.

13 ACTING PRESIDENT: It will be admitted.

14 CLERK OF THE COURT: Defense document 2911  
15 will receive exhibit No. 3562.

16 (Whereupon, the document above  
17 referred to was marked defense exhibit  
18 No. 3562 and received in evidence.)

19 MR. BRANNON: I shall read the affidavit.

20 "1. My name is Sadatoshi TOMIOKA. I was  
21 formerly a rear admiral in the Japanese Navy and occu-  
22 pied the position of Chief of Section One of Division  
23 One, the Operational Section of the Naval General Staff.  
24 In this capacity I took part in the planning and liaison  
25 work in Basic Operations.

1 "2. At that time my rank was captain and  
2 my immediate superior was Rear Admiral FUKUTOME who  
3 commanded the First Division. After Admiral SHIMADA  
4 was appointed Navy Minister and during the latter  
5 portion of October, 1941, Admiral FUKUTOME, by order  
6 of Chief of Naval General Staff NAGANO and in company  
7 of Vice-Chief of Naval General Staff ITO, revealed to  
8 him the drafts of the general operational plans of  
9 the Naval General Staff.

10 "3. Since Admiral SHIMADA was Navy Minister  
11 he had nothing whatsoever to do with the drafting of  
12 operational plans either for the Pearl Harbor Attack  
13 or other naval operations. The function of the Navy  
14 Ministry was entirely separated from that of the Naval  
15 General Staff and of course did not possess the ability  
16 to interfere with such operational planning. To  
17 illustrate the point further, Admiral SHIMADA was not  
18 consulted on the operational movements of the Navy  
19 and in such naval engagements as the battle of Midway  
20 he was not given notice of the plans until after they  
21 were drafted.

22 "4. While the Navy Minister was technically  
23 a member of the so-called Imperial General Headquarters  
24 some explanation is necessary to fully understand his  
25 connection. There appears to be some misconception



1 surrounding the term 'Imperial General Headquarters.'  
2 It was actually composed of the Army General Staff  
3 and the Naval General Staff. Each of the two branches  
4 made their decisions separately and often without con-  
5 sulting the other. I do not know of any actual meet-  
6 ings of such a body since the business affairs were  
7 carried on more or less informally. There was no central  
8 office or singular building that housed the Imperial  
9 General Headquarters. The Navy had its own building  
10 and the Army operated from its quarters. Admiral  
11 SHIMADA did not attend any of these operational dis-  
12 cussions that were held by the Naval General Staff and  
13 certainly could not have attended those held by the Army.  
14 Therefore it becomes quite clear that a wrong impression  
15 would be gained by associating the Navy Minister with  
16 this group."

17  
18 CAPTAIN ROBINSON: There will be no cross-  
19 examination, if the Court please.

20 MR. BRANNON: We ask that the witness be  
21 excused.

22 ACTING PRESIDENT: He will be excused on the  
23 usual conditions.

24 (Whereupon, the witness was excused.)

25 ACTING PRESIDENT: Mr. TAKAHASHI.

MR. TAKAHASHI: I next call the witness

1 NIIJIMA, Nobuo.

2 - - -

3 N O B U O N I I J I M A, called as a witness on  
4 behalf of the defense, being first duly sworn,  
5 testified through Japanese interpreters as  
6 follows:

7 MR. TAKAHASHI: I call this witness for the  
8 purpose of giving a brief explanation of Admiral  
9 SHIMADA's decorations regarding the Anti-Comintern  
10 Pact. This witness was formerly in charge of decora-  
11 tions of naval personnel.

12 The affidavit -- this is defense document  
13 2688.

14 ACTING PRESIDENT: 2888 is the number of the  
15 document.

16 MR. TAKAHASHI: I mistakenly said 2688. The  
17 correct number is 2888.

18 DIRECT EXAMINATION

19 BY MR. TAKAHASHI:

20 Q Witness, will you state your name and  
21 address?

22 A My name is NIIJIMA, Nobuo. My address is  
23 No. 66 Odaka-Machi, Yonago-shi.

24 MR. TAKAHASHI: May the witness be shown  
25 defense document 2888.



1 (Whereupon, a document was  
2 handed to the witness.)

3 Q Is that your signed affidavit?

4 A Yes, that is mine.

5 Q Are the contents thereof true and correct?

6 A Yes.

7 MR. TAKAHASHI: I now tender defense docu-  
8 ment 2888 in evidence.

9 ACTING PRESIDENT: It will be admitted.

10 CLERK OF THE COURT: Defense document  
11 2888 will receive exhibit No. 3563.

12 (Whereupon, the document above  
13 referred to was marked defense exhibit  
14 No. 3563 and received in evidence.)

15 MR. TAKAHASHI: I now read court exhibit  
16 3563.

17 "1. My name is Nobuo NIIJIMA and I was  
18 formerly a Rear Admiral in the Japanese Navy. I know  
19 the facts surrounding the award received by Admiral  
20 SHIMADA in connection with the conclusion of the  
21 Anti-Comintern Pact because at that time I was in  
22 charge of decorations of naval personnel in my  
23 capacity as member of the Second Section of the  
24 Personnel Bureau of the Navy Ministry.  
25

"2. The procedure followed in regard to

1 (Whereupon, a document was  
2 handed to the witness.)

3 Q Is that your signed affidavit?

4 A Yes, that is mine.

5 Q Are the contents thereof true and correct?

6 A Yes.

7 MR. TAKAHASHI: I now tender defense docu-  
8 ment 2888 in evidence.

9 ACTING PRESIDENT: It will be admitted.

10 CLERK OF THE COURT: Defense document  
11 2888 will receive exhibit No. 3563.

12 (Whereupon, the document above  
13 referred to was marked defense exhibit  
14 No. 3563 and received in evidence.)

15 MR. TAKAHASHI: I now read court exhibit  
16 3563.

17 "1. My name is Nobuo NIIJIMA and I was  
18 formerly a Rear Admiral in the Japanese Navy. I know  
19 the facts surrounding the award received by Admiral  
20 SHIMADA in connection with the conclusion of the  
21 Anti-Comintern Pact because at that time I was in  
22 charge of decorations of naval personnel in my  
23 capacity as member of the Second Section of the  
24 Personnel Bureau of the Navy Ministry.  
25

"2. The procedure followed in regard to



1 these decorations was as follows. The Decorations  
2 Bureau of the Cabinet, composed of civilians, through  
3 the Foreign Office received the names of potential  
4 award candidates. The navy itself named its own  
5 candidates for the reception of such awards. These  
6 names so selected were submitted to the Foreign  
7 Office and by the Foreign Office to the Decorations  
8 Bureau of the Cabinet for approval or disapproval.

9 "3. In regard to the awards for the con-  
10 clusion of the Anti-Comintern Pact, the Navy sub-  
11 mitted seventeen names to the Foreign Office which  
12 were relayed to the Decorations Bureau. The Deco-  
13 rations Bureau however did not accept all of these  
14 seventeen recommendations made by the navy but re-  
15 jected eleven of them including the name of Admiral  
16 SHIMADA. Thereafter there was considerable contro-  
17 versy because the army was to be given ten awards and  
18 the navy only six. Hence the navy sought to have the  
19 army's awards reduced or their own increased so that  
20 they would have parity. Besides the numerical dif-  
21 ferences the awards for the navy were of a lower  
22 order than the army awards. The navy was then allowed  
23 to submit a supplemental list of four persons who  
24 held ranks in the navy corresponding to award re-  
25 ceivers tentatively nominated by the army. This

1 is where Admiral SHIMADA came in. Because he was  
2 Vice-Chief of Naval General Staff his was one of  
3 the four additional names submitted.

4 "4. Therefore Admiral SHIMADA, as Vice-  
5 Chief of Naval General Staff, had not been included  
6 in the original list of recipients as set out by the  
7 Decorations Bureau and the navy had no intention of  
8 having an award given to him in his capacity as  
9 Vice-Chief of Naval General Staff if the army had  
10 agreed to a reduction in the number of its awards.

11 "5. Hence, the matter of Admiral SHIMADA  
12 receiving an award in connection with the conclusion  
13 of the Anti-Comintern Pact was really a matter of  
14 his position with the navy and not dependent upon  
15 merit. He ultimately received only a set of small  
16 silver wine cups which was a B class award with  
17 many others receiving much higher decorations for  
18 the occasion such as medals and gold cups."

19 You may cross-examine.

20 CAPTAIN ROBINSON: There will be no cross-  
21 examination.

22 ACTING PRESIDENT: In these cases where  
23 there is to be no cross-examination and no further  
24 questions by the defense, there is no use bringing  
25 the witnesses into court and wasting the time swearing



them in.

1           MR. TAKAHASHI: As we were unable to hold  
2 previous consultations with the prosecution and were  
3 unable to ascertain whether the prosecution intended  
4 to cross-examine, we produced this witness. In  
5 future cases we shall take care that this shall not  
6 happen again.  
7

8           I request that the witness be released on  
9 the usual terms.

10          ACTING PRESIDENT: He will be so released.

11               (Whereupon, the witness was  
12 excused.)

13          ACTING PRESIDENT: We will recess for  
14 fifteen minutes.

15               (Whereupon, at 1045, a recess was  
16 taken until 1100, after which the proceedings  
17 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 ACTING PRESIDENT: Captain Kraft.

4 LANGUAGE ARBITER (CAPTAIN KRAFT): If the  
5 Tribunal please, the following language corrections  
6 are submitted.

7 Reference: Exhibit 1956, paragraph  
8 numbered 1, last line and record page 14,296,  
9 line 4, delete "in its hands" and substitute "with-  
10 in Japan's jurisdiction."

11 Reference: Exhibit No. 1957, paragraph  
12 numbered 1, lines 3 and 4, and record page 14,298,  
13 lines 9 and 10, delete "but will apply the pro-  
14 visions of the said agreement" and substitute  
15 "however, it will apply mutatis mutandis the pro-  
16 visions of the said convention."

17 MR. BRANNON: Relative to prosecution ex-  
18 hibit 2105, which is the purported order relative  
19 to Japanese submarine warfare, we call Hisashi  
20 MITO, who was commander of the First Submarine  
21 Squadron under the Sixth Fleet and whose name appears  
22 on the alleged order.  
23  
24  
25

- - -



MITO

DIRECT

34,635

1 H I S A S H I M I T O, called as a witness on  
2 behalf of the defense, being first duly sworn,  
3 testified through Japanese interpreters as  
4 follows:

5 DIRECT EXAMINATION

6 MR. BRANNON: Will Captain Van Meter hand  
7 the witness document 2891?

8 (Whereupon, a document was handed  
9 to the witness.)

10 BY MR. BRANNON:

11 Q Will you state your name and whether or  
12 not this is your true and correct affidavit?

13 A My name is MITO, Hisashi. My affidavit is  
14 true and correct.

15 MR. BRANNON: We offer in evidence defense  
16 document 2891.

17 ACTING PRESIDENT: It may be admitted.

18 CLERK OF THE COURT: Defense document 2891  
19 will receive exhibit No. 3564.

20 (Whereupon, the document above  
21 referred to was marked defense exhibit  
22 No. 3564 and received in evidence.)

23 MR. BRANNON: I shall proceed to read ex-  
24 hibit 3564, the affidavit of Hisashi MITO:

25 "My name is Hisashi MITO. I was formerly

MITO

DIRECT

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1 a Vice-Admiral in the Japanese Navy. On the 20th  
2 of March, 1943, I held the rank of Rear Admiral and  
3 was assigned as Commander of the First Submarine  
4 Squadron under the Sixth Fleet. I have been told  
5 that the prosecution introduced in evidence a  
6 submarine order bearing exhibit number 2105. (In  
7 transcript on page 15,184.)

8 "Early last year I was interrogated several  
9 times by the prosecution relative to this order. We  
10 discussed it thoroughly. I told them that while it  
11 appeared to be in the same form as other orders  
12 issued I had no recollection of this particular one.  
13 After the interrogation I called Commander SHIBUYA  
14 who was my Staff Officer at that time and asked him  
15 about it. He too had no recollection whatsoever of  
16 such an order being issued.

17 "Paragraph 4, section B on page 4 of the  
18 English copy containing the words 'Do not stop with  
19 the sinking of enemy ships and cargoes; at the same  
20 time that you carry out the complete destruction of  
21 the crews of the enemy's ships, if possible, seize  
22 part of the crew and endeavor to secure information  
23 about the enemy' is utterly foreign to me. In the  
24 first place, it was not the policy of the Japanese  
25 Navy to conduct submarine warfare in that manner nor



MITO

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1 to my knowledge has such a procedure ever been  
2 followed. With the advent of modern means of war-  
3 fare, especially radar and airplanes, it would be  
4 sheer folly for a submarine, after attacking an  
5 enemy ship, to remain above water to carry out such  
6 a purpose. The practice and procedure is to  
7 immediately submerge and to leave the vicinity as  
8 quickly as possible. Therefore I cannot concede  
9 that such an order would even have been issued.

10 "I denied knowledge of the execution order  
11 and also denied that there was any collaboration to  
12 my knowledge with German submarines or that we  
13 employed any tactics based upon German origin. I  
14 was further asked concerning the source of this  
15 order, that is, from where the original basic order  
16 would have been issued. I say now, as I said then,  
17 that the parent order or basic order would have come  
18 from the Commander in Chief of the Combined Fleet  
19 and probably would have been received from the Chief  
20 of Naval General Staff at the highest point.

21 "I have been told that the prosecution  
22 stated it also submitted that 'The Navy Minister  
23 must be held responsible for the top secret naval  
24 order for submarine operation requiring the complete  
25 destruction of crews of ships sunk by submarines \* \*.'

MITO

DIRECT  
CROSS

34,638

1 This is absolutely contrary to fact. The Navy  
2 Ministry could not issue such an order since it is  
3 a matter entirely within the prerogative of the High  
4 Command and I cannot conceive by any stretch of the  
5 imagination how it can be said that any such order,  
6 if actually issued, came from the Navy Ministry."

7 You may examine.

8 ACTING PRESIDENT: Captain Robinson

9 CROSS-EXAMINATION

10 BY CAPTAIN ROBINSON:

11 Q Admiral, where were you on 20 March 1943?

12 A I was at Truk as the Commander of the First  
13 Submarine Squadron.

14 Q What was your flagship?

15 A The Heian Maru.

16 Q Referring to exhibit 2105, the word "Gunki",  
17 G-U-N-K-I, appears. What does that mean?

18 A It means a secret document of the armed  
19 forces.

20 Q What is the distribution of a document so  
21 classified?

22 A To subordinates connected with the operations.  
23 And, there are also cases when such documents  
24 are sent to places or to units which have some relation-  
25 ship with that particular operation.



1 Q With respect to the Naval personnel to  
2 whom it goes, was it not restricted to commanding  
3 officers and other higher officers?

4 A Yes.

5 Q And, what are the requirements with  
6 regard to preserving or destroying a document so  
7 marked by the Japanese Navy?

8 A It is preserved by the commanding officer  
9 himself or by somebody -- some person at the command  
10 of that commanding officer, and it is customary to  
11 destroy such documents after the matter has been  
12 completed.

13 Q Therefore, this document in due course of  
14 time should have been destroyed before it was cap-  
15 tured on Kwajalein on the 19th of February, 1944?

16 A I think it should have been destroyed, if  
17 such a document existed.

18 Q Are you acquainted with the German practice  
19 with regard to the destruction of survivors,  
20 announced by Hitler in 1942?

21 A I do not know.  
22  
23  
24  
25

1 Q You have heard about it, haven't you, before  
2 that date?

3 A Well, I learned of this for the first time  
4 after various inquiries were received, and on the basis  
5 of such inquiries investigation was made after the  
6 end of the war.

7 Q Did you know then that under the German  
8 practice it was the practice to seize part of the crew  
9 and endeavor to secure information from them after the  
10 sinking of the ship?

11 A No, I did not know.

12 Q And do you know that the practice as outlined  
13 in this order was followed by Japanese submarines in  
14 the Indian Ocean in 1944 in the case of the ship Jean  
15 Nicolet and the ship Tjisalak and other vessels?

16 MR. BRANNON: It is objected to on the ground  
17 that it was directly answered in the affidavit.

18 ACTING PRESIDENT: Objection overruled.

19 Q Your answer, please.

20 A I did not know that.

21 Q Were you on duty at any time with the Japanese  
22 Navy in the Indian Ocean?

23 A No.

24 Q Were you acquainted with units of the Sixth  
25 Fleet which were on duty there?



A No, I do not know the units well.

1 Q You did know, did you not, that in the Indian  
2 Ocean the Sixth Fleet had a unit known as the Eighth  
3 Submarine Squadron?

4 A I did not quite get the question, but there  
5 was no Eighth Submarine Squadron under my command.

6 Q I didn't ask that question. I asked whether  
7 the Sixth Fleet had an Eighth Submarine Squadron.

8 A I do not know the time and whether it was at  
9 that time, but there was an Eighth Submarine Squadron  
10 under the Sixth Fleet.

11 Q And channels for orders to that Eighth Submarine  
12 Squadron were by way of Sixth Fleet Headquarters at  
13 Truk, were they not? That is, from Naval General Staff  
14 to Truk.

15 A Well, with respect to the chain of command  
16 concerning the Eighth Submarine Squadron, from what I  
17 remember at this date there were times when this Eighth  
18 Submarine Squadron was under the command of the Southwest  
19 Area Fleet and in that case the orders for that squadron  
20 would come from the Commander of the Southwest Area  
21 Fleet.

22 Q Are you acquainted with the situation in 1944?

23 A I have a few more words of explanation left.

24 And whenever the Eighth Submarine Squadron was  
25

1 under the direct command of the Commander of the  
2 Sixth Fleet the orders for that squadron came from  
3 the Commander of that fleet. And for that reason,  
4 the chain of command would change in accordance with  
5 the various changes or revisions made in the  
6 organization of operational units. And at the present  
7 time I do not recall at what time any reorganizations  
8 took place.

9 Q An order, then, issued at Truk to the First  
10 Submarine Force might also be accompanied by a  
11 corresponding order to other units of the Sixth Fleet  
12 in the Indian Ocean or elsewhere, is that not true?

13 A As I said, it would depend on the organization  
14 of the operational units at that time; and if the  
15 particular squadron was under the direct command of the  
16 Sixth Fleet, then its orders would come from that  
17 headquarters. And, so, if for operational purposes a  
18 particular squadron is placed under the command of the  
19 Southwest Area Fleet, the orders of that squadron would  
20 come from the commander of that fleet.

21 Q In 1944, on 27 March and on 2 July, do you  
22 know whether or not there was operating in the Indian  
23 Ocean a submarine known as the "I-8", part of the Eighth  
24 Submarine Squadron?

25 A I did not know at the time, but I learned of it



under the direct command of the Commander of the  
1 Sixth Fleet the orders for that squadron came from  
2 the Commander of that fleet. And for that reason,  
3 the chain of command would change in accordance with  
4 the various changes or revisions made in the  
5 organization of operational units. And at the present  
6 time I do not recall at what time any reorganizations  
7 took place.  
8

9 Q An order, then, issued at Truk to the First  
10 Submarine Force might also be accompanied by a  
11 corresponding order to other units of the Sixth Fleet  
12 in the Indian Ocean or elsewhere, is that not true?

13 A As I said, it would depend on the organization  
14 of the operational units at that time; and if the  
15 particular squadron was under the direct command of the  
16 Sixth Fleet, then its orders would come from that  
17 headquarters. And, so, if for operational purposes a  
18 particular squadron is placed under the command of the  
19 Southwest Area Fleet, the orders of that squadron would  
20 come from the commander of that fleet.  
21

22 Q In 1944, on 27 March and on 2 July, do you  
23 know whether or not there was operating in the Indian  
24 Ocean a submarine known as the "I-8", part of the Eighth  
25 Submarine Squadron?

A I did not know at the time, but I learned of it

later.

1           Q   Who was the captain, the commander of that  
2 submarine?

3           A   I do not know.

4           Q   You have heard of the name ARIIZUMI, have  
5 you not, A-R-I-I-Z-U-M-I?  
6

7           A   Yes, I have.

8           Q   Who was he?

9           A   ARIIZUMI at one time was staff officer in the  
10 Naval General Staff and later came to the submarine  
11 units, but I do not know whether he at that time was  
12 Commander of the I-8.

13          Q   But you do know that during the year 1944, during  
14 a part at least of that year, he was Commander of the  
15 I-8; is that not correct?

16          A   Yes, I am sure he was.

17          Q   He was one of the best known submarine  
18 commanders in Japan, was he not?

19          A   He was one of the most able submarine commanders.  
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1 Q And held some of the most responsible sub-  
2 marine commands?

3 A After serving as submarine commander, or  
4 commander of a submarine, he became a commander of  
5 a submarine squadron, but I don't know which unit he  
6 went to after that.

7 Q You spoke here of Captain ARIIZUMI. Did  
8 you not hear likewise that he was a commander of the  
9 I-8 in the sinking of the steamship Tjisalak on 26  
10 March 1944 and the sinking of the steamship Nicollet  
11 on 2 July 1944?

12 A No, I do not know.

13 Q Did you not hear that the procedure followed  
14 by him in the destruction of the survivors of these  
15 two ships was exactly the procedure described in this  
16 paragraph 4 of exhibit 2105?

17 A No, I do not know.

18 Q Now, at the top of page 2 of your affidavit,  
19 Mr. Witness, you stated that "Modern radar and airplanes  
20 make it sheer folly for a submarine to remain above  
21 water to commit atrocities."

22 Is it not a fact that modern radio-sending  
23 sets in lifeboats are one of the factors that caused  
24 Japanese submarine commanders to machinegun the life-  
25 boats full of survivors?

A No, we never thought of that.

Q You spoke a minute ago of the Southwest Area Fleet. Are you acquainted with orders by that fleet in which secrecy is enjoined and instructions are given for the destruction of lifeboats and survivors in order that secrecy might be maintained?

A No, I do not know.

CAPTAIN ROBINSON: That is all.

MR. BRANNON: May the witness be excused on the usual terms?

ACTING PRESIDENT: He may be excused on the usual conditions.

(Whereupon, the witness was excused.)

MR. BRANNON: We call the accused former Admiral Shigetaro SHIMADA.

- - -



SHIMADA

DIRECT

34,646

1 SHIGETARO SHIMADA, an accused,  
2 being first duly sworn, testified through Japan-  
3 ese interpreters as follows:

4 MR. BRANNON: Captain Van Meter, will you give  
5 the accused a copy of both the Japanese and English?

6 (Whereupon, documents were handed  
7 to the witness.)

8 DIRECT EXAMINATION

9 BY MR. BRANNON:

10 Q Admiral, will you examine both of these copies  
11 and tell me whether they are true and correct?

12 A Both are true and correct.

13 Q You have a reading knowledge of English,  
14 have you not?

15 A If not especially difficult I understand.

16 MR. BRANNON: I offer in evidence defense  
17 document 2892, the affidavit of the accused SHIMADA.

18 ACTING PRESIDENT: It will be admitted in  
19 evidence.

20 CLERK OF THE COURT: Defense document 2892  
21 will receive exhibit No. 3565.

22 (Whereupon, the document above  
23 referred to was marked defense exhibit 3565  
24 and received in evidence.)  
25

MR. BRANNON: I shall proceed to read exhibit

1 3565, the affidavit of the accused Shigetaro SHIMADA.

2 "1. (a) My name is Shigetaro SHIMADA. I was  
3 born in Tokyo in 1883, entered the Naval Academy in  
4 1901, and graduated as a midshipman in 1904. In August  
5 1905 I was commissioned an ensign. In 1913 I entered  
6 the Naval War College as a lieutenant and graduated in  
7 1915 as a lieutenant commander.

8 "(b) I then went to Italy as Assistant Naval  
9 Attache in the spring of 1916. In December of 1917 I  
10 became Naval Attache there and remained until the end  
11 of World War I. In 1919 I became a staff officer of  
12 a training squadron and toured Europe, returning to  
13 Japan in 1920, at which time I became a staff officer  
14 in the Naval General Staff.

15 "(c) I was promoted to the rank of commander  
16 in 1920 and assigned to the HYUGA as second in command  
17 for one year from the latter portion of 1922. At the  
18 end of 1923 I became an instructor in the Naval War  
19 College, and at the end of the following year, 1924,  
20 was promoted to the rank of captain. In 1926 I became  
21 Commander of the Seventh Submarine Unit consisting of  
22 three submarines. In August of 1928 I was assigned as  
23 Captain of the cruiser TAMA. In December of that  
24 year I was removed to the post of Commander of the  
25 battleship Hiei.



"(d) I was promoted to the rank of Rear Admiral in November of 1929 and at that time became Chief of Staff of the Second Fleet. In December of 1930 I was appointed Chief of Staff of the Combined Fleet and First Fleet, and in December of 1931 became Chief of the Submarine School at Kure. In February of 1932 I became Chief of Staff of the Third Fleet serving under Commander in Chief NOMURA (later Ambassador to the United States). In June, 1932, I became Chief of the Naval Information Bureau of the Naval General Staff and later in November of the same year became Chief of the Operations Bureau. In December, 1934, I had become a vice admiral.

"(e) I was with the Naval General Staff as an attached officer in February, 1935, and became Vice Chief of the Naval General Staff in December of the same year. In December, 1937, I then became Commander in Chief of the Second Fleet and in December, 1938, was removed to the Kure Naval Station as Commander in Chief.

"(f) In May of 1940 I became Commander in Chief of the China Fleet, succeeding Admiral OIKAWA, whom I later succeeded as Navy Minister. In November, 1940, I became a full Admiral. I served in the last mentioned position until September, 1941, at which time I returned to Japan. From September 18, 1941, until

1 September 27 I made a tour of naval hospitals, visiting  
2 the sick and wounded, and then assumed the post of  
3 Commander in Chief of the Yokosuka Naval Station on  
4 October 1, 1941.

5 "(g) On October 13, 1941, I was appointed Navy  
6 Minister, succeeding Admiral OIKAWA, Koshiro. Later,  
7 in February of 1944, I also assumed the post of Chief  
8 of Naval General Staff in connection with the Minister-  
9 ship. On July 17, 1944, I resigned the post of Navy  
10 Minister and later, on August 2, 1944, I resigned as  
11 Chief of Naval General Staff. I was made a naval  
12 councillor and on January 20, 1945, upon my request  
13 was relegated to the retired list.

14 "2. (a) At the time I assumed my new post as  
15 Commander in Chief of the Yokosuka Naval Base I had not  
16 the slightest idea or thought that I would be con-  
17 sidered as the next Navy Minister. I did not even  
18 know that the KONOYE Cabinet was in danger of falling,  
19 and of course knew nothing of the dispute between the  
20 War Minister and the Premier. Actually, my knowledge  
21 of the political situation was dependent upon informa-  
22 tion obtained from newspapers.

23 "(b) On October 17, less than three weeks after  
24 assuming the command of the Yokosuka Naval Base, I was  
25 ordered to report to the Navy Minister in Tokyo.



1 Upon arriving at the official residence of the Navy  
2 Minister that evening I was met by Admiral OIKAWA.  
3 We then told me he would like to recommend me as his  
4 successor for the Navy Ministership under a new cabin-  
5 et which was being formed. He said that he had care-  
6 fully considered all of the available high-ranking  
7 naval officers and had come to the conclusion that I  
8 was best qualified for the post.

9 "(c) My immediate reply was a refusal to accept  
10 the recommendation. I told him that since December of  
11 1937 I had been away from Tokyo, a period of four  
12 years, on routine naval assignments and hence did not  
13 feel that my knowledge of the political situation at  
14 home nor of present international complications was  
15 such as to qualify me. I also related to him that my  
16 past career in the Navy had largely been on the sea  
17 or connected with the Naval General Staff and that I  
18 had never served in the Navy Ministry. And lastly I  
19 emphatically stated my distaste for politics and desire  
20 not to become involved in that line of work. I suggested  
21 that he continue on in the post and I did not question  
22 him further on this point. Thereupon I excused myself  
23 and returned to my Tokyo home.

24 "(d) On the following morning, October 18,  
25 1941, I was again summoned to the Navy Minister's

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1 official residence where both Admiral OIKAWA and the  
2 Chief of Naval General Staff, Admiral NAGANO, were  
3 awaiting me. This time Admiral NAGANO urged me to  
4 reconsider my refusal of the recommendation as next  
5 Navy Minister and told me he felt it was my duty as a  
6 high-ranking full admiral and the man best qualified to  
7 accept. While I again told him the same things I had  
8 told Admiral OIKAWA, he did not change his opinion.  
9 They then told me that Prince FUSHIMI, the oldest and  
10 most highly respected of naval officers and a Prince of  
11 the Blood, had surveyed the field of candidates and  
12 suggested that I was the logical candidate.

13       "(e) It so happened that during our conver-  
14 sation several telephone calls came in from the Cabinet  
15 Formation Headquarters urging that a candidate for Navy  
16 Minister be recommended as soon as possible, since all  
17 of the other ministers of the new cabinet had been de-  
18 termined. I recall hesitating and being greatly per-  
19 plexed as to what to do. Fully realizing that I was  
20 actually one of the few senior naval officers available  
21 for the high position and because of the joint opinions  
22 of Prince FUSHIMI, Admiral OIKAWA and Admiral NAGANO, I  
23 reasoned that my personal dislike for the assignment  
24 must not override my obligation to serve as best I  
25 could, and I reversed my earlier decision and agreed



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tentatively to accept the recommendation.

1 (f) I then excused myself and went to visit  
2 Prince FUSHIMI personally. There I discussed the  
3 matter of acceptance or refusal of the Ministership  
4 and the Prince himself urged me to accept the post.  
5 It was thus upon the recommendation and insistence of  
6 the outgoing Navy Minister, the Chief of Naval General  
7 Staff and Fleet Admiral Prince FUSHIMI that I accepted  
8 the assignment. It was never solicited, initially  
9 refused, and in fact was an unwanted and unwelcome  
10 assignment.  
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1 "3. (a) The statement made in the course of  
2 this trial by the prosecution that, 'It is submitted  
3 that the defendant joined the TOJO Cabinet because he  
4 was, and was known to be, an active supporter of the  
5 TOJO policy and that his participation in the con-  
6 spiracy prior to October 1941 must be inferred from his  
7 joining the cabinet at that juncture.' is entirely un-  
8 warranted and not founded upon fact. In the first place  
9 I did not know TOJO, having met him only once and for a  
10 few moments in Shanghai in 1940. Again, it would have  
11 been impossible for the Premier, an army man, to even  
12 suggest a certain individual in the navy for the post  
13 of Navy Minister, since it would have met with violent  
14 opposition, not only because it was a step contrary to  
15 custom and prejudicial to naval prestige invading the  
16 province of the navy, but because of the natural  
17 rivalry and opposing viewpoints of the two branches of  
18 the armed service. Of course the fact of the matter is  
19 that I did not know what the TOJO policy was. Admiral  
20 OIKAWA had briefly discussed the then existing situation  
21 at the time of my acceptance of the recommendation for  
22 the Navy Ministership but I certainly did not fully know  
23 the problems involved.  
24

25 "4. (a) Immediately after informing Admiral  
OIKAWA on the morning of October 18th that I would



1 accept the recommendation, I went to visit Lieutenant  
2 General TOJO. The purpose of my visit was to lay down  
3 a prerequisite which must be agreed to before I would  
4 officially accept the Ministership. It was approximately  
5 11 A. M. that morning when I spoke to him personally and  
6 told him that I would insist that negotiations with the  
7 United States be pursued to the utmost with the firm  
8 determination to seek a peaceful solution to the then  
9 existing differences between our countries before accept-  
10 ing the cabinet post of Navy Minister. The use of the  
11 words 'United States' does not preclude Great Britain  
12 and the Netherlands for we spoke of the United States as  
13 the negotiating power for the others.

14       "(b) TOJO emphatically agreed that it would be  
15 the policy of the government to start from scratch in  
16 attempting to wholeheartedly and sincerely reach a  
17 diplomatic understanding to the end of preventing war in  
18 accordance with the Emperor's wish. I was quite im-  
19 pressed and relieved by his attitude and felt that with  
20 the army and navy in complete agreement on this important  
21 point, the essential disagreement leading to the fall of  
22 the KONOYE Cabinet had disappeared and chances for our  
23 success were excellent. Consequently, I would be remiss  
24 in relating the truth if I did not say that it was then  
25 and still is my honest conviction that TOJO accepted the

Ministership realizing the full responsibility of his new assignment and resolving to do his utmost toward settling matters through diplomatic channels rather than by the sword regardless of what previous stand he might have taken.

"(c) As evidence of the thinking of the new Premier, I recall a particular incident shortly thereafter. On October 23rd, before any liaison meeting had been called, a ceremony for the war dead was held at the Yasukuni Shrine. TOJO called and suggested that I appear ten minutes earlier than scheduled, saying he would like to talk to me. This I did and he then told me he was planning to call the first Liaison Conference that day and reiterated his firm resolve to commence the discussion of negotiations with America from a clean slate and to explore deeply into the maximum concessions Japan could afford to make to the United States.

"5. (a) Thus I did not have the impression that I was joining a war cabinet under which the nation would be plunged into the bitter and tragic struggle that followed, but rather I believed it was an appointment in a government which, by its very military strength, control and attitude would seek to exhaust the last possibilities in a peaceful effort to settle the grave international dispute.



1 "6. (a) Liaison Conferences began on October  
2 23rd with all present exhibiting confidence that mat-  
3 ters could be settled by negotiations. Everyone, more-  
4 over, was wholeheartedly in favor of peace, but the  
5 question was how to secure it. Long and continuous  
6 meetings were held. The vital issues then present were  
7 not of my creation nor had I even a minor part in their  
8 formation, unless my lifelong career in the navy quali-  
9 fies me as responsible. Therefore, since the problems  
10 had already crystallized, my only function was to  
11 attempt a solution of them in my new capacity as Navy  
12 Minister. Thus followed the most taxing assignment and  
13 trying days of my life.

14 "(b) In the period between the Liaison Con-  
15 ferences and the Imperial Conference of November 5th,  
16 1941, I recall that all my thoughts were focused on the  
17 following two problems:

18 "(1) How best to ease the most difficult con-  
19 ditions of withdrawal of troops from abroad and to  
20 reconcile this fact with the views of the Army Section  
21 of the Imperial General Headquarters.

22 "(2) What were the greatest possible con-  
23 cessions that Japan could afford to make in its en-  
24 deavor to reach an understanding with the United States?  
25 The greatest difficulty concerned the withdrawal of

1 troops from China and French Indo-China. I studied the  
2 issue deeply. I ascertained the general sentiment in  
3 naval circles, fully observed the thinking of other  
4 government members and the trend of public opinion at  
5 the time. Since the navy had opposed and had never  
6 attached a strong interpretation to the Tripartite Pact  
7 I did not feel that that was a problem incapable of  
8 solution if a meeting of the minds could be achieved  
9 as to the other issues. Regardless of how Japan found  
10 itself in such a perplexing international situation,  
11 my consideration of the questions was from the approach  
12 of the present. The best solution, therefore, was a  
13 compromise with the United States and Great Britain  
14 with each side giving ground. Consequently, I directed  
15 my efforts along this line of action in a sincere  
16 attempt to avoid the possible tragic effect of hos-  
17 tilities.

18  
19 "(c) There was a strong prevailing opinion  
20 that matters had developed so far as to make it  
21 physically impossible to withdraw all of our forces from  
22 China and that it would have been a psychological blow  
23 which would stun the Japanese people. It was argued  
24 that it would have amounted to a victory for China over  
25 Japan and would have raised the prestige and standing of  
the United States and Great Britain in the Far East,



1 thereby relegating Japan to a position of being de-  
2 pendent upon these powers for its economic existence and  
3 position as a world power. Therefore, my thinking at  
4 that time was that it would be advisable to effect a  
5 compromise by a strategic withdrawal of our forces over  
6 a period of time from China proper and to effect an  
7 immediate withdrawal from French Indo-China if this  
8 could be correlated with the opposition to such a step.  
9 There was no doubt that Japan then would be making deep  
10 concessions which had not been possible to make at the  
11 time of the Third KONOYE Cabinet.

12 "7. (a) On November 5th at an Imperial Con-  
13 ference a decision was made to put into effect prepara-  
14 tions for war while at the same time steadfastly main-  
15 taining our efforts toward peace through diplomacy. This  
16 was not inconsistent reasoning considering the plight  
17 of Japan at that time. The Allies had effected an  
18 economic encirclement of Japan with a result more tell-  
19 ing than we dared admit to the world. We viewed with  
20 alarm the increasing armaments of the United States and  
21 could not reason that such military steps were taken in  
22 contemplation of war with Germany alone. The American  
23 Pacific Fleet had long before moved from its west coast  
24 base to Hawaii and there stood as a threat to Japan.  
25 The United States policy toward Japan had been strict

1 and unsympathetic, revealing a determination to en-  
2 force their demands without compromise. The American  
3 military and economic aid to China had aroused the  
4 bitterest of feeling among the Japanese people. The  
5 Allied Powers had carried on military conferences  
6 which were pointedly directed against Japan. It was a  
7 tight, tense and trapped feeling that Japan had at that  
8 time.

9           "(b) Considering these facts which have al-  
10 ready been laid before the Tribunal, there were two  
11 solutions open to Japan. One being to relieve the  
12 over-all situation through diplomacy, hoping that a  
13 give and take policy on the part of the United States  
14 and Japan would answer the problems. The other was to  
15 overcome by our own power the actual and impending  
16 difficulties caused by the Allied encirclement. At all  
17 times we considered this last measure to be purely de-  
18 fensive and to be adopted only as a last resort. I  
19 never entertained a doubt that Japan or any nation had  
20 the sovereign right to act in self-preservation and to  
21 determine for herself what accumulation of events would  
22 entitle her to exercise that right. The government,  
23 working in conjunction with the High Command, studied  
24 the situation seriously. Not a single member of either  
25 group wanted war with the United States and Great



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Britain. The military men knew too well that Japan had on its hands the China Affair of over four years duration and which promised no hope of being successfully terminated. Therefore, to reason that we would voluntarily incur additional hostilities with such powers as the United States and Great Britain would be to attribute to us unthinkably juvenile military reasoning."

ACTING PRESIDENT: That is a good place to stop.

MR. BRANNON: Yes, it is the end of a paragraph.

ACTING PRESIDENT: We will adjourn until one-thirty.

(Whereupon, at 1200, a recess was taken.)

## AFTERNOON SESSION

Greenberg &amp; Reichers

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The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International  
Military Tribunal for the Far East is now resumed.

ACTING PRESIDENT: Mr. Brannon.

- - -

SHIGETARO SHIMADA, an accused, resumed  
the stand and testified through Japanese interpre-  
ters as follows:

MR. BRANNON: I continue reading the affi-  
davit of the accused SHIMADA, page 10:

"c. The Government had been carefully con-  
sidering the maximum amount of concessions that could  
be made and was exerting every effort to reach an  
agreement with the United States thereby performing  
its proper function. On the other hand the High Com-  
mand was faced with the problem of being called upon  
to carry out its function if peace negotiations failed.  
Their situation was simply a practical one. The High  
Command argued that the Navy had approximately a two  
year supply of oil on hand. There was no more coming  
in. The civilian oil could not have lasted more than  
six months. With the advent of December, northeasterly  
monsoons would blow with force in the Formosan Straits,



1 the Philippines and Malaya areas rendering military  
2 operations difficult. They charged that if forced  
3 to wait until the following spring they would be  
4 unable to risk a naval fight if called upon to do so  
5 by the government because of the steadily decreasing  
6 oil supply.

7 "d. It was in this setting that the High Com-  
8 mand revealed its position at the Imperial Conference  
9 of November 5th and argued that if diplomatic negotia-  
10 tions failed and they were called upon to go into  
11 action it would have to be a step taken by early win-  
12 ter or they would be unable to act at all. It was  
13 then in an atmosphere of growing desperation brought  
14 on by the factors which I have described that caused  
15 the government to take detailed steps for war even  
16 though they hoped for and still felt peace possible  
17 through negotiations.

18 "8 a. Regarding the so-called Pearl Harbor  
19 Attack Plan, the prosecution stated in its summary,  
20 'SHIMADA has admitted that he knew that YAMAMOTO had  
21 prepared his plan for the attack early in 1941 and  
22 that the plan was adopted in May or June. (Transcript  
23 page 10,194) He also admitted that he knew that early  
24 in 1941 the Navy commenced the development of a  
25 shallow water torpedo because the water at Pearl Har-

1 bor was shallow and that the fleet practiced the use  
2 of this torpedo during the summer of 1941.' This is  
3 misleading for it tends to infer that I knew about  
4 the Pearl Harbor plans before I assumed the Navy  
5 ministership. Such is not the case. It was after  
6 my appointment to the post of Navy Minister that I  
7 first learned of the Pearl Harbor Attack Plan and  
8 of the practice and research that had gone on in the  
9 past. I learned of this from the First Division  
10 Chief of the Naval General Staff, FUKUTOME. Since I  
11 was serving with the Fleet in China it would have  
12 been quite improbable and in fact impossible for me  
13 to have been informed of such vital information.  
14 Being primarily engaged with the administrative  
15 functions attached to my cabinet post I did not direct  
16 my attention to the operational procedures over which  
17 I had no jurisdiction, especially since they had been  
18 worked out prior to my becoming Navy Minister and were  
19 entirely within the hands of the Naval General Staff.

20 "c. While I, of course, had within my power  
21 the ability to know exactly when the Fleet headed for  
22 Pearl Harbor, I actually did not know the exact date.  
23 Stressing that the operational and strategic problems  
24 were left entirely to the General Staff and the Com-  
25 bined Fleet, I can only say that because I did know



1 definitely all operational movements of the Navy  
2 could have been called off in a matter of minutes, I  
3 did not concern myself with the location of the vari-  
4 ous fleet units at any given time. The over-all ques-  
5 tion was whether or not peace through negotiations  
6 could be reached before hostilities commenced, and as  
7 I said before, the early winter deadline was what we  
8 were all working against.

9 "9. a The Government's determination to  
10 peacefully conclude matters was further expressed with  
11 the dispatch of Ambassador KURUSU to the United States  
12 to contribute to the immediate solution of difficulties.  
13 There was no subterfuge or deceit attached to his  
14 going to the United States. It was a fight against  
15 the time element and a redoubling of our efforts to  
16 succeed in diplomacy before we were forced into  
17 hostilities. Unless this point is clearly understood  
18 and believed a great injustice will result. In the  
19 days that followed I was still very hopeful that peace  
20 would eventually come through some diplomatic arrange-  
21 ment. It was during this time that I began to fully  
22 appreciate the gravity of affairs. This complicated  
23 situation weighed heavily on my mind. Each day I  
24 went to the shrine to ask for divine guidance so I  
25 might serve the Emperor in bringing about his fervent

1 desires for peace. I was not a statesman nor a dip-  
2 lomat but I tried to borrow upon all of the skill  
3 and reasoning I possessed to seek a solution. It  
4 was in this mixed atmosphere of doubt, hope, fear and  
5 speculation that the Hull Note of November 26 was  
6 received.

7 "b. This was a jarring blow. It was my  
8 prayer that the United States would have viewed what-  
9 ever concessions we had made as a sincere effort to  
10 avoid war and would attempt to meet us half way  
11 thereby saving the whole situation. Here was a harsh  
12 reply from the United States Government unyielding and  
13 unbending. It contained no recognition of the endeav-  
14 ors we had made toward concessions in the negotiations.  
15 There were no members of the Cabinet nor responsible  
16 officials of the General Staff who advocated accept-  
17 ance of the Hull Note. The view taken was that it  
18 was impossible to do so and that this communication  
19 was an ultimatum threatening the existence of our  
20 country. The general opinion was that acceptance of  
21 the conditions of this note would be tantamount to the  
22 defeat of Japan.

24 "c. It seems clear that no nation willingly  
25 relegates itself to a secondary position as a world  
power if it can help it. History to this very minute



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2 lomat but I tried to borrow upon all of the skill  
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20 country. The general opinion was that acceptance of  
21 the conditions of this note would be tantamount to the  
22 defeat of Japan.

24 "c. It seems clear that no nation willingly  
25 relegates itself to a secondary position as a world  
power if it can help it. History to this very minute

1 dictates that every leading power constantly seeks to  
2 preserve its rights, prestige and dignity and to this  
3 end constantly follows a policy which it deems most  
4 beneficial to itself. As a patriotic Japanese loving  
5 my country, I was confronted with the question of  
6 whether or not Japan could bow to the American demands  
7 and yet preserve its standing in the world. It would  
8 have been treasonable to have advocated a step con-  
9 trary to the best interests of my country.

10 "d. Therefore, I frankly state that it was  
11 this reply of the United States that caused me to  
12 step the boundary line of peace when the final deci-  
13 sion was made at the Imperial Conference of December  
14 1, 1941. Even at this twilight hour, however, there  
15 would still have been time to prevent hostilities had  
16 the United States recognized that we were sincerely  
17 attempting to reach a compromise. In the latter days  
18 of November the government had all but lost hope of  
19 peace and felt that war was inevitable. The conten-  
20 gency upon which hinged war or peace was the attitude  
21 of the United States. Using the Hull Note as a cri-  
22 terion I did not personally feel it was possible to  
23 expect any improvement. The Navy was never confident  
24 of achieving victory over the United States, but we  
25 were confident that we were better prepared at that



1 time to fight than we would have been at any later  
2 date. Admiral NAGANO had several times previously,  
3 as Chief of the Naval General Staff, expressed this  
4 opinion. Hence Admiral NAGANO and I on November  
5 30 told the Emperor that the Navy had made adequate  
6 preparations. The question of confidence in the  
7 ultimate outcome of the war was not the theme of  
8 our conversation but only whether we were confident  
9 of the preparations which the Navy had made.

10 "10 a. The prosecution statement that forti-  
11 fication of the Mandated Islands was carried out in  
12 secret over a period of years prior to 1941 is com-  
13 pletely unfounded. While I knew nothing of the blue-  
14 print map introduced in evidence, I can only say that  
15 it is natural that desk plans be held in reserve for  
16 this most vital geographical area in order to meet  
17 all eventualities. The United States forces must have  
18 recognized even after the occupation of the various  
19 South Sea Islands that there was little resembling  
20 fortifications. The defenses of these islands were  
21 hurriedly carried out from the time immediately prior  
22 to the commencement of war with only necessary equip-  
23 ment such as medium calibre guns being installed and  
24 the converting of airfields with the main objective  
25 in mind of preventing the enemy from capturing and

1 using these strategically important islands against  
2 us.

3 "11 a. At no time did I favor a change in  
4 the government in the midst of war because it would  
5 betray to the world disunity existing in Japan and  
6 would encourage our enemy towards renewing their  
7 efforts against us. "Regarding prosecution's refer-  
8 ence to my talk with Mr. TOGO, then Foreign Minister  
9 under the TOJO Cabinet, concerning his resignation I  
10 would like to say that my action was based upon what  
11 I felt to be the Emperor's feeling at that time.  
12 This, however, does not mean that I did not personally  
13 feel the necessity of preserving the unity of the  
14 government at that time. The point is clearly covered  
15 in exhibit 1273 which reveals that KIDO advised the  
16 Emperor to seek my assistance in solving the dispute  
17 between TOGO and TOJO.

18 "b. The prosecution statement, 'It is also  
19 to be observed that SHIMADA was a member of the Imper-  
20 ial Rule Association Political Society and that when  
21 in July 1944 the reorganization of the Cabinet was  
22 under consideration, including a change of Navy  
23 Minister, TOJO, according to KIDO's Diary (exhibit  
24 1277, transcript page 11,376) suggests the advisa-  
25 bility of SHIMADA being appointed Welfare Minister



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1 in order to have a member of that society in the  
2 Cabinet' is misleading. The person to whom reference  
3 is made is Mr. Toshio SHIMADA and not myself. It  
4 would seem that a cursory investigation of the cir-  
5 cumstances would clearly have revealed this. I can-  
6 not but accept the use of this excerpt as an unfair  
7 attempt to cast me in the role of a politician so as  
8 to comply with the charges in the Indictment. The  
9 Navy traditionally opposed involvement in politics  
10 and even when an officer serves as Navy Minister he  
11 guards this principle of the Navy.

12 "12 a. Part of my duties as Navy Minister  
13 entailed the issuance of regulations providing for  
14 the handling of prisoners taken by the Navy. In pur-  
15 suance of this responsibility the Ministry did issue  
16 these regulations, one of which is exhibit 3055. After  
17 reception of such regulations it became the duty of  
18 the commanders in chief of the various areas wherein  
19 the prisoners might be located to follow and enforce  
20 such directives. In turn they could issue such orders  
21 as were deemed necessary to fit the immediate circum-  
22 stances confronting them so long as these did not  
23 violate the provisions of the Ministry regulations.  
24  
25

1           "(b) Such regulations as were issued by  
2 me or the Navy Ministry did not contravene the  
3 accepted standards of international thought pertain-  
4 ing to that subject. However, the evidence here  
5 before the Tribunal has revealed that, on some  
6 occasions at least, naval personnel have been guilty  
7 of reprehensible conduct inviting severe and justifi-  
8 fiable denunciation. Words of explanation given now  
9 will not cure the evil that has been done. As I sat  
10 in this court room and heard for the first time the  
11 recounting of many instances where Japanese naval  
12 personnel mistreated prisoners of war, I was both  
13 shocked and ashamed. Under no conceivable interpret-  
14 ation of Japanese naval regulations and teachings  
15 could such conduct have been tolerated. Although I  
16 was seated in the Navy Ministry in Tokyo, heard nothing  
17 of these matters and lacked the command ability to  
18 control the conduct of men on the scene, I must,  
19 nevertheless, because of my supervisory position,  
20 assume responsibility. While it is not a chain of  
21 command responsibility, it certainly is more a moral  
22 responsibility such as might be felt by a father for  
23 the misconduct and misdeeds of his son. I did not  
24 receive Allied protests concerning mistreatment of  
25 prisoners of war. This is not to say that copies of



1 them may not have reached the Navy Ministry, but cer-  
2 tainly they were never routed to my personal desk.

3 "13. (a) There has been placed in evidence  
4 what purports to be a secret order concerning submarine  
5 warfare, Exhibit 2105, transcript page 15,184. Not  
6 even by stretching my imagination can I believe that  
7 such an order was ever issued. But if it was it did  
8 not come from the Navy Ministry. The Navy Ministry  
9 did not issue orders relative to matters of this kind.  
10 It is a matter entirely within the jurisdiction of the  
11 Naval General Staff. As to cooperation between  
12 Germany and Japan regarding submarine warfare, I can  
13 state that there was little. Two submarines were sent  
14 from Germany to Japan, with only one of them arriving.  
15 The object was to assist Japan in building better  
16 submarines by taking advantage of the more modern  
17 German construction. Nothing, however, resulted from  
18 this and we did not change our ships. As to following  
19 the Germany policy of submarine warfare, I can only  
20 say that to my knowledge nothing of this kind ever  
21 took place. Again, it is a matter of operational  
22 plans which would be within the sole knowledge of the  
23 Naval General Staff, but I do not think that such a  
24 thing occurred. I feel Admiral Wenneker, whose  
25

1 testimony was read here, may have had adequate grounds  
2 to complain concerning our lack of cooperation with  
3 Germany, for the Navy never viewed with favor our  
4 German relations. With modern methods of warfare  
5 on the seas, it is reasonable to assume that many  
6 of the old rules and regulations regarding submarine  
7 warfare became antiquated. Most certainly the United  
8 States and Great Britain realized this as well as  
9 Japan. But this is not to say that any orders were  
10 issued by the Navy Ministry which were contrary to  
11 existing international law regarding submarine warfare.

12 "14. (a) The prosecution has introduced in  
13 evidence a so-called speech made by me in front of a  
14 Diet Committee on February 10, 1942 after commencement  
15 of war. This was really not a speech, but a discussion  
16 among twenty or thirty men. I have no way of knowing  
17 whether the contents reported are accurate, except  
18 that I at no time ever advocated cruelty to the  
19 enemy or to the nationals of any countries. As I  
20 recall it, this was more or less an informal gathering  
21 of a very minor committee whose function was to check  
22 on expenditures of past budgets. Comments which were  
23 made back and forth might, if considered in their  
24 entirety, lend a different light to the few reported  
25 words that have appeared in evidence. The Committee



SHIMADA

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was addressing questions to me and I was answering.

1 Therefore, I do not believe any statement which could  
2 be called a speech was made. I was explaining that the  
3 meager economy of Japan necessitated support of the  
4 war effort from occupied countries. I did not speak  
5 in terms of eliminating or exterminating individuals,  
6 but in the abstract sense of achieving the supply of  
7 necessary materials and the elimination of economic  
8 opposition.  
9

10 "15. (a) The question has been raised as to  
11 whether or not the Japanese Navy favored an attack on  
12 the United States without a declaration of war or the  
13 giving of notice beforehand. It was my firm belief  
14 that in respect to such matters I could rely upon the  
15 knowledge and skill of the Foreign Minister and his  
16 experts. Consequently, I never felt any concern about  
17 the procedure that was adopted until the question was  
18 raised after the end of the war. Never at any Liaison  
19 Conference or other meeting that I attended was there  
20 a discussion in which the Navy advocated an attack  
21 without notice. I do not even recall such notification  
22 was discussed at a Liaison meeting, much less the ques-  
23 tion of whether any notice should be given at all.  
24 I believe, as a result of consultations between the  
25 Foreign Office, Army General Staff and Naval General

1 Staff, that it had been decided to deliver the notifi-  
2 cation at least one hour before commencement of hostil-  
3 ities. The testimony of Mr. Kumaichi YAMAMOTO of the  
4 Foreign Office given here August 10, 1947, that Vice-  
5 Chief of Naval General Staff ITO insisted on an attack  
6 against the United States without notice, and did so  
7 at a Liaison Conference on December 2, 1941, is in  
8 error. I do not recall a Liaison Conference being  
9 held on December 2, 1941. Not long before his death  
10 Admiral NAGANO and I were told of this contention and  
11 we jointly questioned every one of the accused who  
12 had attended the Liaison Conferences, including TOJO,  
13 SUZUKI, KAYA, HOSHINO, OKA and MUTO. None of them  
14 except TOGO remembered such a thing occurring.

15 "16. (a) The prosecution has stated that I  
16 received awards in 1934 for services in connection  
17 with the 1931-1934 China War, and in 1938 for services  
18 in connection with the Anti-Comintern Pact, and in  
19 1940 for services in the China War, and that the award  
20 to a naval officer for his services in connection with  
21 the Anti-Comintern Pact has a special significance.  
22 I wish to state that I received an award of a silver  
23 cup, which was not a high decoration, simply because  
24 at the time of the execution of the Anti-Comintern Pact  
25 I occupied the post of Vice-Chief of Naval General Staff.



~~It is not unknown for high ranking officers to receive~~  
1 decorations on such occasions, even though they did  
2 nothing in regard to the event. I certainly did  
3 nothing toward the execution of this pact. As to the  
4 other decorations received, they are dependent simply  
5 upon my service in the Navy and the rank that I held  
6 during the various times mentioned. Many other naval  
7 officers received similar decorations and no significance  
8 has been attached to it.

9 "17. (a) As to my membership on the China  
10 Affairs Board (KOAIN), I would like to say that it  
11 was a post I assumed by virtue of becoming Navy Minister.  
12 Before my term of office and in previous cabinets it was  
13 a routine procedure for the Minister of Army, Minister  
14 of Navy, Finance Minister and Foreign Minister to  
15 assume a vice-presidency on that board. I had no  
16 specific duties and exercised no specific function.

17 "18. (a) The issuance of military currency  
18 and its connection with the Navy Ministry must have  
19 been a matter inherited by me when I assumed the post.  
20 I have no recollection whatsoever either of approving  
21 or requesting such. It is undoubtedly quite possible  
22 that such a matter was taken care of by subordinates  
23 in the Navy Ministry who handled the matter before and  
24 knew its history.  
25

1 "19. (a) Some significance appears to have  
2 been attached to the fact that my name appeared as a  
3 member of the Imperial General Headquarters. The  
4 Imperial General Headquarters was composed of the Army  
5 Section and the Navy Section. The Army Section was  
6 controlled by the Chief of Army General Staff. The  
7 Navy Section was controlled by the Chief of the Navy  
8 General Staff. I never attended these meetings as  
9 Navy Minister and had no right to do so. Purely  
10 operational and strategic problems were discussed  
11 there and since I had no voice in such matters it would  
12 have been considered inappropriate for me to have  
13 attended.

14 "20. (a) I came to know HOSHINO, KAYA,  
15 KIDO, KIMURA, NUTO, SATO, SUZUKI and TOGO after  
16 assuming the post of Navy Minister in October, 1941.  
17 If I met any of these men before this time I do not  
18 remember the occasion. As I said before, I met TOJO  
19 for the first time in a very brief meeting around  
20 December, 1940 when he visited Shanghai in the course  
21 of a tour. I next saw him in October 1941 at the time  
22 of the formation of the new cabinet. I met Mr.  
23 SHIGEMITSU for the first time in Shanghai in 1932.  
24 We met again in April, 1943, when he assumed the office  
25 of Foreign Minister in the TOJO Cabinet. I met UMEZU



1 for the first time in 1932, and HATA and ITAGAKI in 1940.  
2 My first acquaintance with Mr. KOISO was in July, 1944,  
3 when he was organizing his new cabinet. My acquaintance  
4 with Admiral OKA was slight, even though we served in  
5 the Navy together, and it was only after I became Navy  
6 Minister that I talked with him at any length. The  
7 following accused I met for the first time after my  
8 confinement in Sugamo Prison: ARAKI, LOHIMARA,  
9 HASHIMOTO, HIRANUMA, MATSUI, MINAMI, OSHIMA and  
10 SHIRATORI."

11 If the Tribunal please, I have one or two  
12 further questions on direct.

13 ACTING PRESIDENT: Proceed.

14 MR. BRANNON: Captain Van Meter, will you  
15 please hand Admiral SHIMADA defense documents 1739 and  
16 1482?  
17

18 (Whereupon, documents were handed  
19 to the witness.)

20 MR. BRANNON: If the Tribunal please, I was  
21 going to introduce these documents after the accused  
22 testified, but in order to qualify them I must proceed  
23 in this fashion.

24 ACTING PRESIDENT: Yes.  
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1 BY MR. BRANNON (Continued):

2 Q Will you please examine that document, Admiral,  
3 and tell me if you are familiar with it? Also document  
4 1739. Do you have that, Admiral?

5 MARSHAL OF THE COURT: Mr. President, 1739  
6 does not appear to have in the clerk's hands a Japanese  
7 translation. Do you wish him presented the English  
8 rough copy here?

9 MR. BRANNON: Yes, I believe that will be all  
10 right.

11 (Whereupon, a document was handed to  
12 the witness)

13 Q I will ask you if you are familiar with those  
14 documents and if you can identify them and tell the  
15 Tribunal what they are.

16 A Yes, I am familiar with these two documents.  
17 I have seen them before. These documents were left  
18 among various reference data in the office or room of  
19 the Minister of the Navy by my predecessor, the former  
20 Navy Minister OIKAWA, and, finding them of interest, I  
21 read them; I read them well. I also remember these  
22 documents well because I made studies on the subject  
23 with my subordinates on the basis of these documents  
24 and made these documents and studies the basis of my  
25 own views.



1                   Originally these documents were prepared by  
2 experts in the Ministry for Foreign Affairs and these  
3 documents were sent to the Navy Ministry from that  
4 department of the government. These reference materials  
5 were helpful in getting a background knowledge of the  
6 international situation and the general relationship  
7 of nations in East Asia prior to my assumption of the  
8 office of Navy Minister.

9           Q   And this question, Admiral: Were there other  
10 documents along the same line and of the same nature  
11 which were given to you for study or made available  
12 at your ministry?

13           A   Yes, there were various documents circulated  
14 at that time but those remaining in my recollection are  
15 especially these two.

16           MR. BRANNON: We offer in evidence defense  
17 document 1739 and defense document 1482. These docu-  
18 ments were originally offered in evidence during the  
19 presentation of a general phase. They were not rejected  
20 but were withdrawn because at that time the President  
21 of the Tribunal said: "I don't think any of us want  
22 to reject it. It is the thought of the majority to  
23 let it in at the right state, and I think the majority  
24 are of the opinion that the right time to let the docu-  
25 ment come in is when some individual connected with it

claims to have acted on it."

1           The President also said: "It is only in the  
2           general phases that you give the evidence that estab-  
3           lishes the facts in relation to all; in the individual  
4           phases you give the facts which influenced the deter-  
5           mination of the individual as well. And this document  
6           would appear to fall in the latter class."  
7

8           Thereafter the President referred to defense  
9           document 1482 as being subject to the same decision  
10          as the one spoken of -- defense document 1739.

11          Therefore, having prefaced the offering of  
12          these documents by a statement from the accused Admiral  
13          SHIMADA that these documents and others like them were  
14          called to his attention and that they had some bearing  
15          upon the formulation of his final opinion we feel that  
16          they are properly admissible at this time. However,  
17          I have no intention of reading these lengthy documents  
18          but only placing them in evidence so that the Tribunal  
19          might, if it desires, refer to them in conjunction  
20          with the other matters that may have influenced the  
21          action of Admiral SHIMADA.

22          ACTING PRESIDENT: Captain Robinson.

23          CAPTAIN ROBINSON: If the Court please, the  
24          prosecution objects to the document on the ground that  
25          it is not clear that this defendant appears to be



1 connected with it. If the only connection is that the  
2 defendant, this defendant, happened to read it I should  
3 think that that would open up a pretty wide field of  
4 admissibility of books and papers and documents. The  
5 question appears to be what the Tribunal may have meant  
6 by the expression "some individual connected with it."  
7 That is a part of the basis of the objection, at any  
8 rate. This defendant was in China, I believe, at the  
9 time that the Foreign Office prepared this document.  
10 I don't find that he participated in its preparation  
11 or that it was addressed to him. For that reason the  
12 prosecution objects to its admission at this time.

13 The objection extends, of course, to both  
14 documents, 1482 also.

15 ACTING PRESIDENT: Mr. Brannon, take the lectern  
16 please.

17 (Whereupon, Mr. Brannon returned to  
18 the lectern.)

19 ACTING PRESIDENT: Are these documents offered  
20 in proof of the alleged facts set out therein or in  
21 proof that the accused was influenced or misled there-  
22 in or thereby?

23 MR. BRANNON: I am sorry not to have made my  
24 point clear. Only for the purpose of showing that they  
25 were before the accused for study and consideration and

1 not for the purpose of showing the truthfulness of  
2 them.

3 That must not be taken, Mr. President, to  
4 mean that I am confessing that they were false. As  
5 to that I have no knowledge.

6 ACTING PRESIDENT: By a majority the objection  
7 is overruled and the documents will be admitted in  
8 evidence.

9 CLERK OF THE COURT: Defense document 1739 will  
10 receive exhibit No. 3566. Defense document 1482 will  
11 receive exhibit No. 3567.

12 (Whereupon, the documents above re-  
13 ferred to were marked defense exhibits No.  
14 3566 and 3567, respectively, and received  
15 in evidence.)

16 ACTING PRESIDENT: Mr. Blakeney.  
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1 MR. BLAKENEY: I wish to ask a question in  
2 cross-examination on behalf of Mr. TOGO.

3 CROSS-EXAMINATION

4 BY MR. BLAKENEY:

5 Q Mr. Witness, you testified in your affidavit  
6 concerning the United States note of the 26th of Nov-  
7 ember, 1941. You were familiar, were you not, with  
8 the answer to that note which was prepared and de-  
9 livered to the United States Government as its final --  
10 as Japan's final note in the negotiations?

11 A Are you referring to the note which was trans-  
12 mitted to them on the 8th -- handed over to the United  
13 States on the 8th of December?

14 Q Yes, I am.

15 A Yes.

16 Q You saw the draft of that note in the Liaison  
17 Conference, did you not?

18 A I have no positive recollection whether it  
19 was the Liaison Conference.

20 Q Do I understand you to mean that you remember  
21 you did see the note but don't remember in what circum-  
22 stances or where?

23 A No, I have no positive or clear recollection  
24 as to having seen the document. But because there are  
25 people who say that YAMAMOTO read the document before

the Liaison Conference, well, I am inclined to feel  
1 that way also.

2 Q You have also heard it testified here, have  
3 you not, by one of your co-defendants that copies of  
4 that document were distributed in the Liaison Conference?

5 A No, I don't believe it.

6 Q You mean you don't believe it has been so  
7 testified or you don't believe it was done?

8 A I do not believe the fact.

9 Q Upon being interrogated by the International  
10 Prosecution Section prior to the commencement of  
11 these proceedings were you asked whether you had seen  
12 that draft? And did you reply that you had?

13 A Well, I somewhat recall that, but at that  
14 time my recollections themselves were very vague.

15 Q You recall that you did see it, but you think  
16 your recollection is better now, is that it?

17 A At that time when I was interrogated on  
18 various questions I had not thoroughly surveyed and  
19 studied the situation on which I was being interrogated.  
20 Later, as a result of trying to recall my memory, I  
21 have come to the result which I have already spoken  
22 to you about in connection with my present state -- the  
23 present state of my recollection.

24 Q Now, your present recollection is, then, that



1 you were familiar with the note but so far as you now  
2 remember you did not at any time see the original or  
3 a copy thereof, is that correct? I think I misquoted  
4 you. I should have said but that at present you don't  
5 remember whether you ever saw the original or a copy  
6 thereof?

7 A To state the facts as directly and frankly  
8 as possible, I actually read this document for the  
9 first time after I had been confined at Omori Prison.  
10 And after receiving a copy of this note from the Foreign  
11 Office, and after having read the document, I was  
12 rather deeply impressed.

13 THE MONITOR: And knowing for the first time  
14 what it was.

15 A (Continuing) And so I tried to trace back  
16 the threads of my memory in connection with this  
17 question, and I came to the conclusion that I had  
18 never read this document myself before, but because  
19 other people said that YAMAMOTO had read the document  
20 before the Liaison Conference it must be that I might  
21 have heard this document read. That is the present  
22 state of my recollection.

23 Q Were you interrogated by the International  
24 Prosecution Section at Omori Prison?

25 A No.

Q Where?

A At Sugamo.

Q That is after you had been at Omori Prison,  
is it not?

A Yes.

MR. BLAKENEY: That is all.

ACTING PRESIDENT: Mr. Logan.

MR. LOGAN: If the Tribunal please, I want to  
ask a few questions on cross-examination on behalf  
of the defendant KIDO.

CROSS-EXAMINATION (Continued)

BY MR. LOGAN:

Q Admiral, in your affidavit you state that  
you came to know KIDO after assuming the post of Navy  
Minister in October 1941. May we assume from that  
that you never spoke with him until after you received  
your appointment as Navy Minister?

A I might have met him but it is not in my  
recollection.

Q Did KIDO at any time prior to your acceptance  
of the post of Navy Minister ever speak with you and  
ask you to accept the post?

A Preposterous. It is absolutely not the case.

Q Did he ever send anyone to you and ask you on  
his behalf to accept the position as Navy Minister?



1           A    If any messenger like that came I would just  
2 bark at him and kick him out.

3           Q    Did KIDO at any time, Admiral, while you were  
4 Navy Minister, did he ever interfere or dictate to  
5 you as to what should be done by you in your office  
6 as such?

7           A    Absolutely not. And it would be impossible,  
8 totally impossible.

9           Q    Did he ever endeavor, or did he actually  
10 accomplish any interference or dictation over your  
11 office in any indirect method that you know of?

12          A    Absolutely not.

13          Q    Admiral, do you recall this meeting of  
14 November 29, 1941, this all day session which was held  
15 between members of the cabinet and the senior statesmen  
16 in the morning, and between some of the cabinet and  
17 the elder statesmen and the Emperor for about an hour  
18 at 2 o'clock, and later in the afternoon the morning  
19 session was resumed and the Emperor was not present?  
20 Do you remember that occasion?

21          A    Yes, I do recall.  
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1 Q Were you present there all day?

2 A Yes.

3 Q It is a fact, is it not, that KIDO was not  
4 present at the morning session?

5 A Exactly as you say.

6 Q But he was present for that hour session in  
7 the middle of the day, the time the Emperor was  
8 present; isn't that so?

9 A Yes.

10 Q And he was there in attendance on the  
11 Emperor only; isn't that true?

12 A That is my understanding.

13 Q Did KIDO say anything in that one hour's  
14 session?

15 A Nothing. He didn't say anything.

16 Q And was he present at the session in the  
17 afternoon which was the resumption of the morning  
18 session, that is, the afternoon session at which the  
19 Emperor was not present?

20 A He was not present.

21 Q Do you know, Admiral, that this meeting  
22 between the Elder Statesmen and the cabinet was  
23 suggested by Marquis KIDO to the Emperor as early as  
24 November 19, 1941, so that the Emperor could get the  
25 views of everybody on this subject?



1           A   No, I did not know that well.

2           Q   Now, I will read to you a statement made  
3 by Admiral OKADA before this Tribunal on the 24th  
4 of September, wherein he said: "After the morning  
5 session we were given a luncheon by the Emperor,  
6 and after we had finished our meal each of us sub-  
7 mitted our dissuading opinion to the Throne." And  
8 by "we" it is there referring to the Senior Statesmen.  
9 Now, do you agree that that statement by Admiral  
10 OKADA is correct?

11           A   Well, I do not exactly understand the term.

12           THE INTERPRETER: The defense counsel used  
13 the word "dissuading opinion," and the witness said  
14 something about "policy of prudence."

15           A   (Continuing) But the Senior Statesmen  
16 present at that conference expressed the opinion as  
17 to whether or not there could not be any means found  
18 to avert war.  
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1 Q And Admiral OKADA also said that "None of  
2 the Elder Statesmen supported or encouraged war at  
3 that meeting, especially WAKATSUKI, KONOYE, HIRANUMA  
4 and I." Is that statement correct?

5 A Yes; generally, yes.

6 Q Now, Admiral, in your affidavit, page 7,  
7 paragraph 5, in reference to joining the government,  
8 October, 1941, you state: "I believed it was an  
9 appointment in a government which by its very military  
10 strength, control and attitude would seek to exhaust  
11 the last possibilities in a peaceful effort to settle  
12 the grave international dispute."

13 What do you mean by that term "by its very  
14 military strength"?

15 A The most difficult barrier in the Japanese-  
16 American negotiations, that is, the most difficult  
17 question, was the question of withdrawal of troops  
18 from China.  
19

20 THE MONITOR: Strike out "from China."

21 A (Continuing) In this connection, the General  
22 Staff Office of the army had a very large voice, and  
23 it was a matter in which negotiations were required  
24 between the General Staff Office and the government.  
25 And the purport of what I state there is that it would  
~~be extremely difficult to organize and unify Japan's~~



position vis-a-vis her negotiations with the United States unless there was some powerful control over the General Staff Office of the army.

THE INTERPRETER: Slight correction:

The purport of my meaning as set forth there in my affidavit is that in this connection, in order to bring about a settlement of the negotiations between Japan and the United States, it would be necessary first of all to effect a powerful control over the General Staff Office of the army. Unless that were done, it would be difficult.

Q In other words, Admiral, do you mean that when TOJO took office as Premier, his position became entirely different from his previous position when he was merely War Minister?

A The TOJO who was War Minister in the KONOYE Cabinet was entirely on a different position when he became TOJO, the Prime Minister. As Prime Minister, he must listen to and coordinate the opinions of all the cabinet ministers. Furthermore, as Prime Minister, he would have more frequent opportunities for audiences with His Majesty, the Emperor, and the Emperor's repeated wishes for peace -- ardent wishes for peace would, their repetition, impress itself upon the mind of the Prime Minister.

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1 Q Thank you, Admiral.

2 ACTING PRESIDENT: Any further examination by  
3 defense counsel?

4 MR. BRANNON: I believe that is all.

5 You may cross-examine.

6 ACTING PRESIDENT: We will recess for fifteen  
7 minutes.

8 (Whereupon, at 1445, a recess was  
9 taken until 1500, after which the proceedings  
10 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 ACTING PRESIDENT: Captain Robinson.

4 CAPTAIN ROBINSON: If the Tribunal please,  
5 before cross-examination begins, the prosecution  
6 will read in evidence a brief exhibit, No. 3560.  
7 This exhibit was introduced in evidence by the  
8 chief of counsel yesterday in the course of the  
9 cross-examination of Admiral OIKAWA, a witness  
10 presented by this defendant, record page 34,595.

11 Shall I proceed, sir?

12 ACTING PRESIDENT: Proceed.

13 CAPTAIN ROBINSON: (Reading)

14 "Asahi Shimbun Tokyo Head Office

15 "Investigation Sect.

16 "9 Sept. 1941

17 "Admiral SHIMADA Reports on War Conditions  
18 to the Throne

19 "Honoured With Gracious Imperial Message  
20 Approving His Merits

21 "Vice-Admiral TAKAHASHI and others Also  
22 Proceeded to the Imperial Palace

23 "/T.N. The above is the heading of the  
24 article published in an evening edition of the  
25 Tokyo-Asahi, 16 Sept. 1941/



1 "Admiral SHIMADA, Shigetaro, former  
2 Commander-in-Chief of the Chinese Area Fleet, spark-  
3 ling with distinguished military services, trium-  
4 phantly returned to the Tokyo station, at 9:10 A.M.  
5 of the 15th, together with Vice-Admiral TAKAHASHI  
6 Koremochi, who had been holding an important post  
7 on the sea.

8 "At the station, he had the honour to  
9 hear the Emperor's gracious words conveyed by the  
10 Aide-de-camp to his Majesty, SAMEJIMA, who was sent  
11 there by the Throne and was welcomed by many persons,  
12 including Navy Minister OIKAWA, Chief of Naval  
13 General Staff NAGANO, Vice Chief of Naval General  
14 Staff ITO, Supreme War Concillors, HYAKUTAKE and  
15 YOSHIDA, etc. Then he proceeded to the Imperial  
16 Palace from the front main gate in the carriage  
17 furnished by the Imperial Household Ministry and  
18 guarded a military escort of a cavalry unit under  
19 the command of Lieutenant SHIRAISHI, Isamu, of the  
20 4th Unit of the Eastern District.

21 "Following him, Vice-Admiral TAKAHASHI  
22 also entered the palace from Nijyu /Double/ Bridge  
23 on the carriage despatched by the Imperial House-  
24 hold Ministry.

25 "At 10 A.M. on this day, His Majesty,

1 attended by Chief Aide-de-camp to His Majesty  
2 HASUNUMA and others appeared in the Imperial front  
3 chamber in an imposing military costume wearing the  
4 attached decoration of the Grand Order, and ordered  
5 to grant an audience to Admiral SHIMADA, Shigetaro  
6 and also to Navy Minister OIKAWA and Chief of Naval  
7 General Staff NAGANO who were to be present there.  
8 The Admiral, after expressing the greetings of his  
9 return when he prudently approached to the Throne,  
10 made a detailed report to His Majesty about those  
11 war conditions during his one year and half service  
12 such as the Chinese coastal blockade operations,  
13 the Navy 'eagles' /T.N. pilots/ bombing of Chung-  
14 king and the hinterlands of China, the occupation  
15 of French Indo-China, the morale of the officers  
16 and men in the front, and so forth, to which His  
17 Majesty, while standing all the while, eagerly  
18 listened and condescendingly granted him a gracious  
19 Imperial Message approving his merits. His Majesty  
20 thus rewarded him for his meritorious services."

21 I will not read the remaining paragraph  
22 at this time.

## CROSS-EXAMINATION

BY CAPTAIN ROBINSON:

23 Q Admiral SHIMADA, in your affidavit at page  
24  
25



1 13 of the English edition, paragraph 9(d), you  
2 state that at the Imperial conference on December 1,  
3 1941, you stepped over "the boundary line of peace"  
4 and joined in making the final decision for war.  
5 What official position in the Japanese Government  
6 did you hold at that time?

7 A Minister of the Navy.

8 Q I didn't hear the answer.

9 THE INTERPRETER: "Minister of the Navy."

10 Q And, as Navy Minister, you were also a  
11 Minister of State?

12 A Yes, naturally.

13 Q You held that same official position, of  
14 course, on the preceding day, November 30, 1941?

15 A Yes.

16 Q As Navy Minister and Minister of State,  
17 was it a function of your office to give advice to  
18 the Emperor?

19 A My function in so far as the matters  
20 related to the Navy.

21 Q Were you, as Navy Minister, and Admiral  
22 NAGANO, Chief of the Naval General Staff, summoned  
23 in audience before the Emperor on November 30, 1941,  
24 to give the Emperor advice as requested?

25 A No, there was no such occasion.

1           Q   In your affidavit at page 14, paragraph 9(d),  
2   you state that on that occasion you, with Admiral  
3   NAGANO, advised the Emperor, and I quote your words,  
4   that "the Navy had made adequate preparations." Was  
5   there not such a conference?

6           A   Your previous inquiry is erroneous. The  
7   facts are as I have related in my affidavit.  
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1 Q In your affidavit, what was the occasion to  
2 which you refer on page 14 which I have just mentioned?

3 A You suggested in your first inquiry that we  
4 went to the Imperial Palace to advise His Majesty, the  
5 Emperor. That was not so. We went to the Imperial  
6 Palace in response to a summons for advice.

7 THE INTERPRETER: "...in response to a summons."  
8 Strike the last part out.

9 Q Well, I thought that was my question, Admiral,  
10 whether you were not summoned in audience before the  
11 Emperor on November 30, 1941. Now, do I understand the  
12 answer is "yes"?

13 A Yes, we had an audience. We went to the  
14 Imperial Palace for an audience in response to a  
15 summons, but not to give advice as suggested by you in  
16 your question.

17 Q However, you did advise the Emperor at that  
18 time.

19 A We did not advise.

20 Q I quote your words, that you and Admiral NAGANO  
21 told the Emperor that the Navy had made adequate  
22 preparations.

23 A Because the inquiry from the Throne was to  
24 that effect, we replied to that inquiry.

25 Q Now, you heard the defendant KIDO testifying

1 in this courtroom, did you not, on that subject?

2 A No, I have no positive or clear recollection.

3 Q At page 31,046 of the record, exhibit 3340,  
4 you find the defendant KIDO stating that he requested  
5 that the Navy Minister and the Chief of the Naval  
6 General Staff be called at once, and the true intention  
7 of the Navy be ascertained and that the matter be  
8 conveyed frankly to the Emperor also. Continuing,  
9 KIDO stated: "At 6:35 I was summoned in audience and  
10 was ordered as follows: The Navy Minister and the  
11 Chief of the Naval General Staff have answered my  
12 question about the previous matter with considerable  
13 confidence and so I instructed the Emperor to proceed  
14 as planned."

15 What was the subject to which KIDO referred  
16 in that testimony?

17 Have you answered?

18 A In connection with this KIDO diary, my  
19 understanding is that I was summoned to the Imperial  
20 Palace and responded to the inquiries from the Throne.  
21 And the instructions were to inform the Prime Minister  
22 that His Majesty, the Emperor, had given his approval  
23 to holding -- convening an Imperial conference on the  
24 following day, the 1st of December.

25 Q And is that the same occasion when, as you



1 state in your affidavit, you told the Emperor that  
2 the Navy had made adequate preparations?

3 A Yes.

4 Q How do you explain the next sentence in  
5 your affidavit in which you say, "The question of  
6 confidence in the ultimate outcome of the war was not  
7 the theme of our conversations, but only whether we  
8 were confident of the preparations which the Navy had  
9 made"? You don't mean to say that you were advising  
10 the Emperor that the Navy was prepared for an Imperial  
11 conference, do you?

12 A There seems to be some misunderstanding on  
13 your part, so let me explain the situation at that  
14 time.

15 Q Go ahead.

16 A The inquiry from the Throne on that day to  
17 the Chief of the Naval General Staff, Admiral NAGANO,  
18 was "What was the state of the operations plans?"

19 THE INTERPRETER: "What were the state of the  
20 preparations for operations."

21 A (Continuing) And to me the inquiry from the  
22 Throne ~~was~~ what were the state of the preparations in  
23 so far as the Navy Ministry was concerned. And to  
24 these questions from the Throne both the Chief of the  
25 Naval General Staff and I replied that the preparations

1 had been completed -- were completed. And after  
2 hearing the answers which the Chief of the Naval  
3 General Staff and I gave to the Throne in answer to  
4 His Majesty's inquiries, he, His Majesty, instructed  
5 Marquis KIDO to convey to the Prime Minister the  
6 Emperor's words that the meeting may be convened as  
7 scheduled because the meeting -- because the Emperor  
8 previously had told the Prime Minister to postpone the  
9 meeting for the time being, this Imperial decision  
10 having been made after NAGANO and I answered the  
11 inquiries from the Throne.

12 Q At that time did you tell the Emperor the  
13 same facts which you state in your affidavit, namely,  
14 that the Navy was never confident of achieving victory  
15 over the United States?

16 A No, we did not say anything of the kind.

17 Q What did you tell the Emperor and what did he  
18 say to you?

19 A The inquiry from His Majesty addressed to me:  
20 was: "Are your preparations as Navy Minister complete?"  
21 And in response to that question, I, as Navy Minister,  
22 replied that every possible effort was being made in  
23 connection with personnel and materials. Everything  
24 possible was being done in connection with preparations  
25 pertaining to personnel and materials.



Q Preparations for what?

1 A For war. War preparations.

2 Q Yes. And when you told the Emperor that you  
3 were confident of the preparations made by the Navy,  
4 did you make clear to him that you were advising him  
5 that the Navy was prepared to start a war, but was not  
6 confident that the war could be brought to a victorious  
7 conclusion?

8 A Such points were sufficiently considered and  
9 studied by the Liaison Conference, and the results of  
10 these studies were already reported to the Throne by  
11 the Prime Minister.

12 THE INTERPRETER: "It was supposed to have  
13 been reported by the Prime Minister."

14 Q But, did you investigate that fact in your talk  
15 with the Emperor; whether or not the Throne was  
16 advised to that effect?

17 A We did not do such a thing.

18 Q Well, now, here you say in your affidavit that  
19 preparations were adequate and satisfactory. Adequate  
20 and satisfactory for what?

21 MR. BRANNON: We object to that question as  
22 being highly repetitious and having been answered in  
23 the affidavit, page 14, in which a whole paragraph is  
24 devoted to that one point.  
25

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1            ACTING PRESIDENT: He has already testified  
2            that he made adequate preparations for war, as I  
3            understand it.  
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Q For war with whom?

1 A The country which sent the Hull note and  
2 its allies.

3 Q Well, now, what country?

4 A The United States and Great Britain.

5 Q Now, did the Emperor at that time say to  
6 you and to Admiral NAGANO that it was His Majesty's  
7 understanding that in executing the Pearl Harbor  
8 operations the Government of the United States would  
9 be duly notified prior to the commencement of armed  
10 action?  
11

12 MR. BRANNON: I object to that as assuming that  
13 the Emperor knew about the Pearl Harbor attack. Such  
14 testimony has not yet been put in evidence.

15 ACTING PRESIDENT: Objection overruled.

16 Q Your answer?

17 A I couldn't quite catch the whole question.

18 THE MONITOR: Japanese court reporter.

19 (Whereupon, the last question was  
20 read.)

21 THE WITNESS: He didn't say anything  
22 like that.

23 Q Are you not aware of the fact that His Imperial  
24 Highness Prime Minister Prince HIGASHIKUNI on October  
25 8, 1945, forwarded to General Headquarters of United

1 States Armed Forces Pacific an official reply to  
2 questions asked him at a press conference on 18  
3 September, 1945, and that in this reply he made the  
4 following statement: "Regarding the question whether  
5 His Majesty knew of the plan to attack Pearl Harbor  
6 before the attack was made, although His Majesty had  
7 heard from the Naval Chief of Staff of the general  
8 outline of the operations, he had not been informed  
9 of the details of their execution." Continuing:  
10 "Furthermore, it was His Majesty's understanding that  
11 in executing the operations the Government of the  
12 United States would be duly notified prior to the  
13 commencement of armed action."

14 Now, is that statement an accurate statement  
15 of the Emperor's understanding with the Japanese Navy  
16 as obtained in this conference with you and Admiral  
17 NAGANO and in other conferences?

18 MR. BRANNON: I won't object to that if he will  
19 confine it to the conferences this accused had with  
20 the Emperor, but as to other conferences, it is too  
21 all-inclusive.

22 ACTING PRESIDENT: You had better omit the  
23 other conferences. The objection is sustained to that  
24 extent.

25 A I have told you all that took place at the



1 audience on the 30th of November, when inquiries were  
2 addressed to the Throne -- inquiries addressed by the  
3 Throne. Other than what I have mentioned, there was  
4 nothing else.

5 Q Very well. Do you know as a fact that the  
6 Emperor did have that understanding with the Japanese  
7 Navy?

8 A Such matters are operational matters, and if  
9 they were at all mentioned to the Throne, it would  
10 have been mentioned by the Chief of the Naval General  
11 Staff, but I don't know to what extent such a matter  
12 was considered or brought up.

13 CAPTAIN ROBINSON: May the witness be shown  
14 IPS document 3296?

15 (Whereupon, a document was handed  
16 to the witness.)

17 Q This document is a certified true copy of a  
18 press release issued by General Diller from General  
19 Headquarters, releasing the letter received from the  
20 secretary of Prime Minister HIGASHIKUNI with the cer-  
21 tificate of Secretary HOTA stating that the copy is  
22 identical with the letter as signed by the secretary  
23 for Prime Minister HIGASHIKUNI.

24 Will you examine paragraph 2 of the document?

25 MR. BRANNON: If the Tribunal please, the

1 witness, unless I am mistaken, has already denied  
2 any knowledge of this document. Is it not, then, a  
3 tremendous waste of time to hand him a document  
4 and ask him to read it and try to identify it in  
5 that manner?

6 CAPTAIN ROBINSON: An effort to refresh  
7 the recollection of the witness is, I think, always  
8 permissible, your Honor.

9 ACTING PRESIDENT: That sounds like a comment,  
10 not an objection.

11 MR. BRANNON: I did not add the words "I  
12 object," Mr. President, but I shall do that on the  
13 grounds that I stated.

14 ACTING PRESIDENT: Objection overruled.  
15 BY CAPTAIN ROBINSON:

16 Q Have you examined paragraph 2, "Witness? Is  
17 that an authentic and true statement of the situation,  
18 to the best of your knowledge, that paragraph consist-  
19 ing of the words which I have read and quoted above  
20 to you?  
21

22 A As I have already replied to you before, I  
23 did not -- As I have replied to you before, not being  
24 in the position to speak of operational matters, I  
25 don't know anything about it.



1 Q Are you suggesting, therefore, that the  
2 Emperor understood that the United States would not be  
3 duly notified prior to the commencement of armed action?

4 A There seem to be two parts to your question.  
5 The first one is, to what extent did His Majesty know  
6 about the operational plans concerning Pearl Harbor--  
7 the attack on Pearl Harbor -- plans for an attack on  
8 Pearl Harbor? The second point is in connection with  
9 notification to the United States.

10 I replied as I did because your inquiry was  
11 with regard to the first point, whether or not -- in  
12 connection with the attack on Pearl Harbor.

13 With regard to the second point in your ques-  
14 tion, not being my responsibility but being a matter  
15 under the jurisdiction of the Foreign Office, I do not  
16 know.

17 Q Was it not your duty, as Navy Minister and as  
18 Minister of State, to know the will of the Emperor  
19 as Commander in Chief of the Japanese Navy in regard to  
20 this important naval operation? Admiral NAGANO was not  
21 Minister of State, Chief of Naval Operations, but you  
22 were. Isn't that correct?

23 MR. BRANNON: We ask that the witness be al-  
24 lowed to answer one question at a time, if the Tribunal  
25 please. That is two questions, with no answers.

1 CAPTAIN ROBINSON: Will the witness go ahead?

2 A I have already replied to the first question,  
3 but I did not quite catch the last question.

4 Q The last question was: As representing the  
5 Navy were you not the Minister of State and not the  
6 Naval Chief of Staff Admiral NAGANO? Under the Con-  
7 stitution of Japan was it not your duty and obligation,  
8 as Minister of State, to give advice to the Emperor?

9 A What kind of advice?

10 Q Advice in regard to the navy, presumably.

11 A Even if matters related to the navy, if it was  
12 a question of operations, that was the responsibility of  
13 the Naval High Command and not mine. You would under-  
14 stand that position clearly if you would see the Con-  
15 stitution.

16 Q I have seen the Constitution. What part of it  
17 are you referring to, Article 55?

18 A Article 11.

19 Q Yes. Now, as Navy Minister, was it not your  
20 responsibility to see that the attack did not take place  
21 before the command of the Emperor was complied with, or  
22 are you telling us that all of that responsibility can  
23 be placed on the Chief of the Naval General Staff, who  
24 was not a Minister of State?  
25

MR. BRANNON: I object to the procedure adopted;



1 not the contents. That is two questions again, with no  
2 answer to either one.

3 CAPTAIN ROBINSON: Will you answer the question?

4 ACTING PRESIDENT: Will the Court Reporter  
5 repeat the question, please?

6 (Whereupon, the last question was  
7 read by the official court reporter.)

8 BY CAPTAIN ROBINSON:

9 Q Will you answer that question?

10 A I did not hear the Japanese translation of that  
11 last part.

12 THE MONITOR: Japanese Court Reporter.

13 (Whereupon, the Japanese court  
14 reporter read.)

15 A (Continuing) The Japanese Navy did everything  
16 possible that could be done -- everything that should  
17 be done.

18 Correction: The Japanese Navy did everything  
19 possible that should be done. The operations were to  
20 be commenced according to the fixed schedule. Before  
21 that, a sufficient notification was to be sent to the  
22 United States Government by the Japanese Government.

23 THE MONITOR: Japanese Court Reporter.

24 (Whereupon, the Japanese court  
25 reporter read.)

1 A (Continuing) In that manner the necessary  
2 arrangements were made.

3 CAPTAIN ROBINSON: Now, if the Court please,  
4 obviously that answer is not an answer to the question  
5 put to the witness.

6 ACTING PRESIDENT: I think you had better  
7 divide your question into two parts.

8 CAPTAIN ROBINSON: Will you read, then, the  
9 first part of the question, Reporter?

10 (Whereupon, the official court  
11 reporter read as follows: "Now, as Navy  
12 Minister, was it not your responsibility to  
13 see that the attack did not take place before  
14 the command of the Emperor was complied with?")

15 BY CAPTAIN ROBINSON:

16 Q Will you answer the question?

17 A That sounds to me like a very queer question,  
18 a very difficult question to answer.

19 ACTING PRESIDENT: Answer the question, Wit-  
20 ness.

21 A (Continuing) I think the point in the question  
22 is in connection with the Navy Minister's responsibility.  
23 Such a thing as you have just inquired about cannot be  
24 disposed of by the Navy Minister alone and by himself,  
25 and so I cannot say yes or no.



1 Q Well, whose responsibility is it to advise  
2 the Emperor -- to see that the will of the Emperor is  
3 carried out in that respect?

4 A As I have already said before, in so far as  
5 operations were concerned they were to be handled by the  
6 navy. In so far as the notification to the United  
7 States Government was concerned, that would be in the  
8 hands of the Foreign Office. There is a distinction  
9 in the two functions.

10 Q In other words, if you knew that the Chief of  
11 Naval General Staff was causing an attack at Pearl  
12 Harbor to be made without due compliance, as the Emperor  
13 had commanded, with international treaties, then you  
14 would be helpless to prevent such action by the Japanese  
15 Navy? Is that the result of your answer?

16 MR. BRANNON: If that is a hypothetical ques-  
17 tion, we will not object to that, but if it is assuming  
18 that the facts stated in the question are true, we ob-  
19 ject as assuming evidence that has not been presented  
20 here. There is no evidence that the Emperor requested  
21 any notice to be given, and until it is proven we will  
22 object to the question as so put.

23 BY CAPTAIN ROBINSON:

24 Q Do you deny, Mr. Witness, that it was His  
25 Majesty's understanding that in executing the operations

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1 at Pearl Harbor, the Government of the United States  
2 would be duly notified prior to the commencement of  
3 armed action?

4 A I do not deny it. It was exactly as you  
5 suggested. That was not only the policy, the idea of  
6 the Emperor, but it was also the policy of the govern-  
7 ment.

8 Q But you had neither the power nor the respon-  
9 sibility to see that the Emperor's wish and order and  
10 the government's policy be executed; is that correct?

11 A Are you referring to the notification? Is  
12 that what you are talking about? Is that right? Are  
13 you referring to the notification to the United States?

14 Q You may proceed safely on that assumption,  
15 Mr. Witness.

16 A If it is the notification, that is -- that  
17 was under the jurisdiction of the Foreign Office.

18 ACTING PRESIDENT: We will adjourn until  
19 nine-thirty Monday morning.

20 (Whereupon, at 1600, an adjourn-  
21 ment was taken until Monday, 8 December  
22 1947, at 0930.)  
23  
24  
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